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ABSTRACT

Approximately 300 members of the National Council of College Publications Advisers responded to questionnaires in a study that (1) investigated press law and the ethics of advising as they relate to student publications, and (2) developed a profile of the college student publications adviser. In addition to obtaining demographic information, the questionnaires asked respondents if they felt advisers should read copy prior to its publication, if they themselves read such copy, and how they viewed their role as related to the legal definitions of censorship. The findings revealed that the average publications adviser was a 41-year-old male who had a master's degree and had taken more than nine courses in journalism. He worked at a four-year public college with an enrollment of more than 5,000 and advised a weekly student newspaper. He had 9.5 years of advising experience and five to six years of professional journalism experience. He taught journalism, was not the only adviser on his campus, and did not have a written job description. He was not required to read copy prior to its publication. The findings also revealed that 45.7% of the respondents felt that copy should be read before its publication and that 50.2% actually did read such copy. suggesting that student publications nationwide are subject to prior restraint. (FL)

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THE ROLE AND PRACTICES
OF THE COLLEGE STUDENT PUBLICATIONS ADVISER
AND THE DEVELOPMENT OF GUIDELINES FOR PROFESSIONAL STANDARDS

Lillian Lodge Kopenhaver

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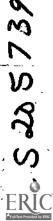
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CHAPTER I

INTRODUCTION

Statement of the Problem

Over the past two decades, a large number of both ' two- and four-year colleges and universities have been founded throughout the country. At the same time, college and university student publications have developed into a large, profitable business nationally, and new institutions of higher education have therefore encouraged the initiation of student publications while older institutions have looked to improving those that exist. In both these instances, college and university administrators usually follow two patterns: first, they establish rules and regulations for student publications and then hire or assign someone to serve as adviser for, usually, both the editorial and business sides; or, second, they allow student publications to grow on their own with no guidance or with an adviser they select who has little or no Then a crisis occurs knowledge of student press rights. when something controversial is printed, since those same administrators then feel the need to suppress the publication.

In most of these latter instances, university

officials view the publication as a "bulletin board" which
should print good news, while students consistently
determine that it is a forum for the exchange of ideas.



Many-college and university administrators and student publications advisers are unenlightened about press law, court cases and journalistic ethics as they relate to freedom of the student press. Advisers are professional journalists, educators and administrators, and must be therefore just as qualified for their positions as any other individual working in a highly specialized field on campus. Both administrators and advisers must be educated to that fact.

The first step in the problem-solving process for this study was to develop a national profile of college and university student publications advisers and existing advising practices; the second step was to formulate a set of recommended guidelines for professional standards for student publications advisers based upon research into press law and into currently-practiced advising procedures and, attitudes that exist throughout the country. These quidelines then need to be disseminated nationally to both advisers " and college and university administrators to serve as an educational mechanism designed to upgrade the knowledge and attitudes of administrators and advisers. Both these groups must be educated as to their rights, roles and responsibilities; these guidelines can facilitate and encourage that process and lessen the instances of censorship and hindrance of the growth of the collegiate press. that do exist in colleges and universities throughout the nation.

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Background and Significance

Collège and university student publications have & become a big business nationally. In 1977, in a front-page profile of the business side of college papers, The Wall Street Journal reported that college students spend about \$10 billion a year," and "influence another \$20 billion," therefore making the campus press an increasingly big market, both for advertising and for the free expression of opinioh. Dario Politella, in his Directory of the College Student Press in America (1977-78), indicates that there may be as many as 6603 student publications on the nation's campuses, with projected pressruns of over 17 million copies and budgets of close to \$110 million. His study also shows that the number of college newspapers exceeds the number of commercial dailies published in the United States, 2524 to 1756 in 1977 (p. 1). Lou Ingelhart, writing in College Press Review in 1979, looks to the 1980's and says that on the nation's 3100 college campuses, there will be at least 3000 newspapers, 2000 yearbooks and 1500 magazines or other publications. Combined circulation of all these publications will be 20 million copies with a total budget of \$120 million (p. 49)

Concomitant with this healthy financial status, and with the increased circulation and influence of student publications, has been the realization by some college and university administrators, and by an increasing number of student publications advisers and staff members, that student publications also have most of the freedoms and responsibilities

of the professional press. A vast majority of these rights are quaranteed by law and reinforced by recent court cases.

The First Amendment to the Constitution of the United States contains 45 words; yet in that short paragraph, ratified December 15, 1791, resides the legal foundation for freedom of the press:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, or to petition the government, for a redress of grievances.

Unequaled awareness by the American people of First Amendment rights, freedom of information and the right of the public to know has brought a vigorous inquisitiveness to both the professional and the student press today. This has been a natural effect of two factors: first, the demand of society to know, and, second, the growth in importance of investigative reporting and an increasing consumerism in today's media.

College and university student publications mirror, on the editorial, production and business sides, professional publications on all levels: newspapers, magazines and specialized publications. Today's student publications are highly sophisticated in response to an expectation from today's campus readership for a high level of professionalism from student publications, whether at small or large institutions. College and university student publications have evidenced an increasing responsiveness to the issues and demands of their campus communities, just as the

professional press has taken the lead in defending the rights, responsibilities and freedoms of the communities that they serve. In many instances, the trend to deal with meaningful issues has brought increasing pressures on both student staff members and student publications advisers from the many groups within the community that the student publication serves if that publication prints controversial or critical articles. In addition to these pressures, the demand for professionalism and responsiveness to consumer needs and a number of recent court cases involving the student press have placed increased demands and responsibilities upon the individual assigned or hired to serve as adviser to a student publication in today's colleges and universities.

educational process as direct classroom instruction in a subject. In many cases, they provide students with a great deal more practical experience than they gain in their courses. The individual entrusted with the position of student publications adviser must combine the competencies, knowledge, skills and ethics of both an educator and a journalist. Such an adviser will be best able to guide staff members to an understanding of their role in the campus community and to a realization of how they may attain the goals of their publication.

At this time, when freedom of information is increasingly demanded by the public and staunchly fought for by the press, student publications are reflecting a similar

advocacy. As the press on all levels continues to fight for the public's right to know and for First Amendment rights, the role of the adviser to student publications on the nation's campuses becomes more complex. As both an educator and a journalist, this person must provide an understanding of the responsibilities of the press to the student staff on the one hand and to the campus community on the other. The adviser to student publications must therefore function as a facilitator of learning in educating students, administrators, colleagues and the community the student publication serves as to the purposes, rights and responsibilities of the student press.

However, of even greater importance is the role of the adviser as journalist in guaranteeing the First Amendment rights of students to the full exercise of freedom of the press; Many early statesmen realized that the vigorous exercise of a free press was vital to safeguard the basic rights of the individual and society in a free country. an academic community, which provides for the basic opportunity for inquiry and for free expression, the premier freedom is that of exchanging ideas, sharing information and questioning basic precepts. It is the responsibility of the student publications adviser to encourage and foster institutional policies and operations that will ensure that students have the right and freedom to establish and operate their own public tions, free from any form of censorship or from the pressures of any individual or group within or outside the university community.

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Student publications are precisely that, student publications. Determination of the policies, content, organization and operation of any student publication should be under full student control. Above all, student publications advisers are just what that designation denotes, advisers who provide the best possible advice and learning atmosphere available, and their considered professional judgment to the students with whom they work and whom they teach. However, they also defend staunchly the rights of students to make the final decisions on their publications, and to accept the responsibility for those decision.

The role of the student publications adviser varies from institution to institution, ranging from the individual who never steps foot inside the publications office to the adviser who reads and edits all copy before it is published. Neither of these individuals is really an adviser. Today's case law and recent court decisions have determined the rights and responsibilities of the student press and put forth firm implications for a definition of the student publications adviser.

The adviser to college and university student publications is unique. In many instances, this individual is singular on campus, or alone is responsible for a publication. There is only one national professional organization, the National Council of College Publications Advisers, which is concerned with the problems of the adviser. It is not unusual for this individual to have had

no journalistic training, but to be a chemistry or English instructor, a director of student activities or a young person just out of college, who is assigned responsibility by an unenlightened college administrator for one or more of the student publications on campus. This frequent lack of training or inability to exchange ideas with professional adviser colleagues poses certain problems for the publications adviser. In many instances, this individual is subjected to charges of censorship when he does something that students perceive as being beyond the role of the adviser. Or his lack of professional journalistic experience and/or training is reflected in a poorly-produced and less than professional student publication.

encounters on campus are directly related to his inexperience in the journalistic and advising fields and to his lack of knowledge about journalistic ethics and recent court cases which have determined what freedom of the press means as it relates to campus publications. There are not many institutions of higher education where courses provide training in advising student publications. In addition, as reported by Lillian Lodge Kopenhaver and J. William Click (1978), court cases which specifically relate to and determine freedom of the student press only date back slightly over a decade to Dickey v. Alabama State Board of Education (1967);

state school officials cannot infringe on their students' right of free and unrestricted expression...where the exercise of such a right

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does not materially and substantially interfere with requirements of appropriate discipline in the operation of the school (p. 5).

This landmark decision ensured the extension of the constitutional rights of freedom of the press to student publications and affirmed the basic freedom from censorship for students at state-supported public institutions. Yet advisers face orders from administrators to censor student publications, and they do so, neglecting the case law that exists. In many instances, they are unaware of the law; in others, they are ignorant of the ethics and responsibilities of the adviser as educator, journalist and administrator.

Thus a large percentage of student publications nationally do not enjoy press freedom because of unen the ened advisers and administrators.

Research Ouestions

The research questions which were answered in this study are as'follows:

- 1. What are the legal restrictions placed on the student publications adviser?
- 2. What are the responsibilities of the student publications adviser?
- 3. What are the characteristics of today's college student publications adviser?
- 4. What is the rolo of the student publications adviser as currently practiced?
- 5. What should the professional practices of the student publications adviser be?



Definition of Terms

Major terms were defined as follows:

- Student publications: Those publications
 produced by students at colleges and universities
 for a primarily student readership.
- 2. <u>Independent student press</u>: Student publications which receive no direct financial or other support from the college or university but are solely self-supporting, primarily through advertising.
- 3. Dependent student press: Student publications which are directly supported through university funding in some form, including an adviser paid by the institution, free room and university services and direct subsidy.
- 4. National Council of College Publications Advisers

 (NCCPA): The only national professional association
 of advisers to college and university student
 publications in the nation. The organization
 consists of over 400 members in 46 states and the
 District of Columbia, and represents that many
 different institutions.
- 5. Adviser: An individual who is hired or selected or who volunteers to act in an advisory capacity to students in their work on a student publication.
- 6. <u>Censorship</u>: Any action which is intended to hinder or impede the free and vigorous exercise of freedom of the press in accord with all the rights and responsibilities of that freedom.

Basic Assumptions

The basic assumptions of this study were as follows:

- That the respondents answered the survey honestly, reflecting their actual advising practices and not what they thought those practices should be.
- 2. That the Opinion Profile section of the survey was sufficient to assess attitudes of advisers to everyday practices in their work with students on publications.
- 3. That the 410 advisers who chose to become active members of the National Council of College
 Publications Advisers were sufficient to serve as a non-random sample of all advisers.

Limitations of the Study

The basic_limitations of this study were as follows:

- The results were limited to the respondents who returned the survey.
- 2. The study was limited to 410 individuals who chose to join the National Council of College
 Publications Advisers as active members.
- 3. The survey was validated-by seeking ratings for each question from a panel of experts serving as officers of the National Council of College Publications Advisers.
- 4. The research into advising practices was confined to the limited number of articles which have been



published on the topic in a limited number of professional journals.



CHAPTER II

REVIEW OF RELATED LITERATURE

Freedom of Expression

The First Amendment to the Constitution guarantees freedom of the press and speech. In the initial debate over the Bill of Rights, early statesmen came to realize that a free and vigorous press was necessary to safeguard other basic rights in a free society. DeWitt C. Reddick (1976) confirms that this debate clarified an important truth:

Freedom of the press is not a right of the press; it is a right of the people. In other words, the provision is not intended to protect the private business of publishing. Rather it exists because people in a republic have the right to be informed about the actions of all branches of government and about the aspects of society that necessitate legislation. It is also the people's right to hear diverse opinions on all issues of public concern (p. 72).

In the nearly two centuries since the passage of the Bill of Rights, press freedom has progressively been extended to other aspects of the newsgathering and dissemination process, including sunshine or open meetings laws, open access to information through Freedom of Information rulings, the accessibility of an increasing number of courtrooms to cameras, the right to freely publish what can be established as factual and objective reporting and the equally important right to print the free expression of opinion on the issues that concern society.

Justifications for the exister a of the First

Amendment are essentially threefold, according to Julius

Duscha and Thomas Fischer (1973):

First, that a "marketplace of ideas" is necessary for the operation of a free society. This idea is rooted in the belief that the real truth is more likely to emerge if all facts and all viewpoints are allowed to compete with one another for general acceptance. Second, there is the idea that free expression is an educational tool, that citizens must be well-informed if they are to keep and exercise effective control over their government and their own lives. Finally, there is the belief that freedom of expression provides for self-fulfillment, allowing a citizen to freely express himself and to be the recipient of expression by others (r. 51).

with these freedoms fully enunciated, early journalists undertook a very personal form of journalism, with opinions freely expressed and with news frequently involving the reporter. It was not until the aftermath of World War II that the press in the United States came to be more closely aligned with the social responsibility theory, according to Ray Hiebert, Donald Ungurait and Thomas Bohn (1974). The main thrust of this theory is that freedom of the press ca ies with it a "responsibility to the society that nurtures it" (p. 19). Its major objective is to provide equal access to the press for all elements of society and to truly open the press to a broad dialogue on a multiplicity of issues. The press is thus viewed as operating for the general welfare of the society it serves. It no longer reflects a personal journalism but, instead, news

reporting shaped by codes of ethics and various legal decisions to prevent infringement upon the rights of the individual.

At the same time as the social responsibility of the press was emerging, college campuses were undergoing changes in operational philosophies and institutional policies and procedures. The decade of the 1950's was characterized by a relative calm on campuses, with college — publications being informative and supportive of faculty, administrators, issues and even the student government, and with institutional authority being rather autonomous under _____ the doctrine of in loco parentis.

It wasn't until 1961, with <u>Dixon v. Alabama State</u>

<u>Board of Education</u> (full legal citations for each case can be found in the bibliography), that two basic criteria were established to determine the legality of the rules of an institution. The first states that any rule must be "necessary to the accomplishment of the mission of the institution as defined in the charter," and the second that "the exercise of authority must be reasonable." E.G. Williamson and John L. Cowan (1966) continue by summarizing its significance: a college or university may not exceed "the powers granted by or implied in its charter," and it may be "refused even these powers if the courts find their exercise to be 'unreasonable'" (p. 8). This ruling was the foundation of the subsequent movement toward upholding student freedoms in the courts, particularly as they related to the student press.

Thus the decade of the 1960's became a period of student activism and turmoil on the nation's campuses. Student publications took on causes and crusades, with . investigative reporting becoming, a standard and critical views of campus, local and national issues filling their The concept of in loco parentis yielded, though with a great deal of resistance on the part of college administrators, to a greater expression of student rights and more involvement by students in institutional policy-The hallmark of this trend was the Free Speech Movement at the University of California at Berkeley in The demonstrations at Berkeley, over restrictions on political solicitations on property adjacent to the university, brought support from campuses throughout the nation. autonomy of the university had been challenged and from this period to the present more and more challenges to institutional authority are being taken to court and, in a majority of instances, being upheld, thus reducing what Courtlyn Hotchkiss and Dennis Madson (1978) call "the traditional, ability of the university to govern itself as a clo society" (p. 27).

The 1960's also marked the beginning of numerous court cases brought by students against colleges and universities in an attempt to substantiate students' rights to a free press under constitutional guarantees: The 1970's were witness to a proliferation of such cases, particularly as budget constraints and inflation and an attitude of

cynical realism toward life found administrators assuming a more vigorous role as censors, and caused students, armed with a greater knowledge of their rights, to actively exhibit those rights in print. Annette Gibbs, in a Syllabus article (1971), reports on a 1969 study conducted by the National Association of Student Personnel Administrators which found that in a ranking of the eighteen issues of most concern to college administrators, student publications placed seventh as a significant source of difficulty (p. 6). Gibbs contends that the problems and conflicts concerning the editorial policies of student publications as they relate to student freedom of expression exist "because student editors and institutional administrators are not in agreement as to which topics and ideas should be presented or discussed in the college student newspaper" (p. 5).

In a 1964 study of 800 colleges and universities, Williamson and Cowan reported that at 42 percent of those colleges responding, editors were required to submit copy to someone before publication. In 75 percent of those cases, it was the adviser. However, censorship was not involved in all those instances; only 35 percent of the editors who were required to submit copy had actually experienced censorship. Court cases have been a natural outgrowth of these types of actions as students seek to attain their constitutionally-guaranteed freedom of the press. Mel Mencher, writing in College Press Review (1973), reports that the courts have regularly affirmed student freedom of

expression through a number of varied cases which have ruled the following:

The college or university is often not legally the publisher of the campus newspaper.

Student editors cannot be suspended nor expelled for their writings.

The campus newspaper must not be censored.

The legal standards of libel and obscenity for the general and commercial press apply to the campus press as well (p. 20).

Legal findings have illustrated that college and university student publications have the same rights and pri ileges as the commercial and professional press. Duscha and Fischer comment that although there may be "many differences between campus newspapers' and general circulation newspapers," including readership, coverage, financial base and journalistic experience,

they also have a great deal in common. Both have a certain responsibility to inform, educate, and entertain, and to present the news fully and fairly. also have the legal responsibility to avoid unprotected and punishable speech such as libel and Obscenity. Each has its own readership to which it ought to be responsive, albeit not slavish. these newspapers do their job well, they will occasionally strike sparks; make their readers wince, and cow or infuriate the objects of their criticism. So much so, that they, or their supporters, may occasionally raise the spectre of libel and obscenity as a means of curtailing speech which irritates and antagonizes them (p. 57).

This same situation frequently becomes evident on campus: an administrator who is not fully aware of the



rights of student publications tacitly states that he or she believes in freedom of the press; student editors who are aware of legal cases upholding press rights investigate issues and potential news stories that question the actions of administrators. A crisis then develops over something that is to be printed. This illustration is typical of the misunderstandings that exist on many college campuses between administrators and the student press, and, in many instances, the student publications adviser finds himself or herself in the middle of this confusion, trying to serve as a liaison for both points of view.

Robert Trager and Donna Dickerson (1979) in College Student Press Law, the definitive volume on this topic, discuss censorship and state that one of the best ways to restrain those who would censor is for advisers or editors to provide them with a "clear understanding of the purpose of the press on campus and its benefits to the educational system as a whole" (p. 4). They further discuss the role of the courts and their view of the campus as "a unique place in our society where ideas are born, nurtured, and brought to maturity." In order for this type of environment to exist, however, the educational institution must provide an atmosphere for "unrestricted teaching, learning, and expression... Teachers and students must always remain free to inquire, to study and to evaluate, to gain new maturity and understanding, otherwise our civilization will stagnate and die" (p. 4). They cite Sweezy v. State of New Hampshire

as being the foundation for "extending constitutional guarantees" to students on college campuses. Since institutions of higher education are seen as the training ground for democracy, "to impose any strait-jacket upon the intellectual leaders in our colleges and universities would imperil the "uture of our nation" (p. 2).

The restriction of free expression in the student press violates not only constitutional freedoms but also abrogates those foundations upon which academic freedom and the philosophy of an unfettered educational system are based. The national heritage of the United States lies in its democratic system of education, one in which students and faculty are encouraged to strive for the highest ideals and to express themselves freely and vigorously. Leon Letwin (1974) feels that it is misguided to view the values of freedom of speech as being at war with educational values. He contends that "good constitutional doctrine is equally good educational doctrine," and asserts:

The capacity and willingness of the young to think independently, to question and to challenge, to criticize constituted authorities and established ways, are not superfluous luxuries. The development of such talents ought to be central objectives of educational policy (p. 213).

Only the free flow of ideas combined with a free flow of information provides the foundation for a free society. Colleges and universities hold as their basic operational tenet that this free flow must be encouraged in order to most fully educate citizens to freedom in a

free society. This very idea of freedom implies a search for the truth and the opportunity for all points of view to be heard and considered. Of prime importance in encouraging this free flow of debate is the role of student publications on the nation's campuses. Let O. Hench, writing in a volume edited by Herman Estrin and Arthur O. Sanderson, feels that the student "must be free not only from repression; he must be free for expression." The most obvious vehicle for that expression is the student press:

In this sense any institution engaged in educating in a democratic society must recognize the meaning and importance of freedom of the student press-freedom to report the facts and to express opinion—without restraint—as the student sees it—in the college forum in print. Any institutional authority standing against such freedom is, in a sense, contravening, even subverting the educational and democratic objectives which it surely must be the ostensible purpose of the college to promote (p. 155).

Censorship of the student press therefore undermines this democratic process and administrators and advisers not only have an ethical responsibility to encourage vigorous freedom of expression in student publications, but they have a legal responsibility as well. With the proliferation of court cases establishing the rights of the college student press during the 1970's, and with the new +achnology opening up new vistas for student publications, the 1980's should prove to be a decade of unlimited opportunity for student journalists.

A Legal Basis: Tinker Defined

The student press has the obligation to report on and interpret the changing times and attitudes on the nation's Armed with First Amendment rights, editors, and frequently advisers along with them, have come into direct confrontation with administrators who question their judgment and taste. - Even though in the past decade the courts have consistently upheld the rights of the student press to exercise their constitutional privilege of freedom of the press, many administrators still retain the view of education reflected in Wooster v. Sunderland (1915) which prevailed until the 1960's. Wooster, a student, denounced a school board.in California for forcing students to assemble in classrooms that were fire hazards. The court of appeals found for the school board, stating that "his conduct ... cannot be classified as anything but a species of insubordination to constituted authority, which required correction...in order that the discipline of the school might be maintained."

Two factors were thus affirmed, according to Letwin (1974): first, that the "cultivation of critical, independent thought was not a proper schoolhouse activity," (p. 147) and, second, that free speech and education as values were "locked in implacable conflict" (p. 153). It wasn't until 1969, when Tinker v. Des Moines Independent Community School District enunciated the landmark decision that established the freedom of the public school student press, that the Supreme Court reassessed the Wooster



attitude toward education and freedom of speech and concluded that the two values were complementary. The Tinker circumstances began in December 1965, when some students and adults in Des Moines decided to show their objection to the Viet. m War by wearing black armbands during the Christmas season. Mary Beth Tinker, 13, and Christopher Eckhardt, 16, wore the armbands to their schools despite the policy drawn up by the school principals that if students wearing them to school refused to remove them when asked, they would be suspended until they returned without the armbands.

Both students were suspended, as was John Tinker,

15, who wore an armband the next day. In March 1966, a

complaint was filed with the U.S. District Court for the

Southern District of Iowa for an injunction to restrain

officials from disciplining students for exercising free

speech rights. The court found the officials actions

"reasonable," and following a split decision by the Eighth

Circuit Court of Appeals, the case went to the Supreme Court.

According to John Nichols (1972); the main arguments before

the court were whether speech should be "regulated on the

basis of a vague but undocumented feeling that it is

'reasonable' to do so, or whether evidence of a specific and

immediate danger to the school should be required" (p. 4).

In this case, the Supreme Court ruled for the first time that public school students are protected by the First Amendment:

First Amendment rights, applied in light of the special circumstances of the school environment, are available to teachers and students. It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the school-house gate.

Justice Fortas, writing the majority opinion, ruled that in state-supported schools, officials "do not possess absolute authority over their students," since students, both in school and out, are "persons" under the Constitution:

They are possessed of fundamental rights which the state must respect... In the absence of a specific showing of constitutionally valid reasons to regulate their speech, students are entitled to freedom of expression of their views.

The court also made it abundantly clear that educational institutions are the places where openness should be permitted and encouraged:

Undifferentiated fear or apprehension of disturbance is not enough to overcome the right of freedom of expression Any departure from absolute regimentation may cause trouble. Any variation from the majority's opinion may inspire fear. Any word spoken in class, in the lunchroom, or on the campus, that deviates from the views of another person may start an argument or cause a disturbance. But our Constilution says we must take this risk...and our history says that it is this sort of hazardous freedom-this kind of openness--that is the basis of our national strength and of the independence and vigor of Americans who grow up and live in this relatively permissive, often disputatious, society.

While affirming the First Amendment rights of students, the justices also indicated that school officials had some authority to regulate student expression, and thus established



the test that is used in all cases where previous restraint threatens the student press:

In order for the State in the person of school officials to justify prohibition of a particular expression of opinion, it must be able to show that its action was caused by something more than a mere desire to avoid the discomfort and unpleasantness that always accompany an unpopular viewpoint. Certainly where there is no finding and no showing that engaging in the forbidden conduct would materially and substantially interfere with the requirements of appropriate discipline in the operation of the school, the prohibition cannot be sustained.

Nichols states that the general rationale of the Tinker decision was "the libertarian idea that truth, or at any rate/ the best functioning of society, would emerge from free Mebate in the 'marketplace' of ideas" (p. 7). Therefore students have the right to use their words to try to implement change and to "make the school a hotbed of revolutionary rhetoric -- as long as actual revolution is not a likely result" (p. 9). In the context of the court's ruling, it is the burden of school officials, or in some cases an authoritărian adviser, to illustrațe effectively with facts and hard evidence that something a student publication wanted to print would "materially and substantially interfere" with the purposes of the college or university. In all such cases, factual evidence is absolutely required, the court pointing out that "undifferentiated fear or apprehension of disturbance" would not be acceptable as evidence to permit freedom of expression to be curtailed.



In <u>Tinker</u> the Supreme Court applied the same very liberal requirements to student press and speech as it did to the community and commercial press in <u>Terminiello v.</u>

Chicago (1949):

A function of free speech under our system of government is to invite dispute. It may indeed best serve its high purpose when it induces a condition of unrest... and even stirs people to anger. Speech... may strike at prejudices and preconceptions and have profound unsettling effects as it presses for acceptance of an idea. That is why freedom of speech, though not absolute, ...is nevertheless protected against censorship or punishment, unless shown likely to produce a clear and present danger of serious substantive evil that rises far above public inconvenience, annoyance, or unrest... There is no room under our Constitution for a more restrictive view.

Nichols (1971) notes that the courts have disallowed sanctions against students under <u>Tinker</u> in all cases excépt one, <u>Speake v. Grantham</u> (1971), which involved the distribution of notices fraudulently announcing the closing of the university. According to the court, this case possessed a factual basis which supported a forecast of disruption. However, the sanctions applied were more prohibitive against action rather than speech, thus attesting to the clear preeminence of the constitutional protection of free speech.

It is obvious from legal rulings in the decade since <u>Tinker</u> that school officials, if they attempt to regulate free expression under the doctrine in this case, must clearly illustrate that they are attempting to prevent some immediate danger to school discipline or to students. It would be



difficult to prove that the student press would be disruptive through what it prints unless, as Mindy S.

Mellits (1979) proposes, "it advocated illegal student conduct and would likely produce such conduct." She continues, "Mere criticism of school policy, dissemination of information or reporting the news could not produce the type of 'substantial disruption' that the <u>Tinker</u> standard requires" (p. 35).

The Forum Theory. and Prior Restraint

The First Amendment to the Constitution protects freedom of speech and press. The Fourteenth Amendment, ratified in 1868, guarantees those First Amendment rights of citizens against any infringement by the state, including any employees of public educational institutions. Section 1, Clause 2, of that amendment states:

No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

Thus when an administrator at a public college or university, and this includes advisers hired by the college, attempts to control student expression in the campus press, court action may be taken by the student publication. The Fourteenth Amendment is further reinforced by the Civil Rights Act of 1871 which, according to Trager and Dickerson, provides for

a cause of action against any state official acting under color of state law who subjects "any citizen of the United States...to the deprivation of any rights, privileges or immunities secured by the Constitution" (p. 8).

They further offer an illustration of how these laws operate:

Thus the editor of a newspaper on the campus of a state university will have a cause of action against an administrator, faculty member, or staff member who refuses to allow publication of, for example, an otherwide protected editorial. If the material in question did not cause material and substantial disruption on the campus, the courts in most instances would uphold the student's rights (p. 8).

No court case has as yet, however, provided any protection for students against action at private colleges and universities, since employees are not state officials.

As early as 1931, in Near v. Minnesota, the
Supreme Court affirmed that it was the chief purpose of
the First Amendment "to prevent previous restraint upon
publication." Chief Justice Hughes quoted William Blackstone in his declaration about prior restraint: "The
liberty of the press is indeed essential to the nature of a
free state; but this consists in laying no previous
restraints upon publications." He concluded, however, that
it did not provide "freedom from censure for criminal matter
when published." The Near case early established the
principle of freedom from prior restraint, and at the same
time listed exceptions in which prior restraint would be



permitted, "exceptional circumstances," as it is phrased by Trager and Dickerson, "for expression which would incite violent or forceful overthrow of the government, for obscene language, and for certain instances of libel" (p. 20). Prior restraint is defined by Christopher Fager (1976) as "any official interference with free expression before that expression actually takes place," and "any censorship which occurs before distribution (including seizure of material), as opposed to punishing students for engaging in unprotected expression after distribution" (p. 15).

The landmark case establishing campus press rights, . Dickey v. Alabama State Board of Education, occurred in 1967, two years before Tinker. Gary Dickey was editor-of the Troy State (Alabama) College student newspaper in the spring of 1967 when Dr. Frank Rose, president of the University of Alabama, refused to censor a student publication at the Montgomery campus of the university. Dickey prepared an editorial praising Dr. Rose and the Troy State president refused to allow him to print it since, he said, newspapers could not criticize their publishers and the governor and legislature were the owners and publishers of the newspaper. These officials therefore could not be criticized in the publication. Dickey left a blank space on the editorial page and printed the word "Censored" across it. summer Dickey was denied readmission to Troy State for "insubordination," and he instituted suit for reinstatement. The case went to U.S. District Court.

The court stated that the rule which he supposedly violated was not necessary to maintain order or discipline and cited the First and Fourteenth Amendments, affirming that the state cannot censor a student publication by suspending its editor:

A state cannot force a college student to forfeit his constitutionally protected right of freedom of expression as a condition to his attending a state-supported institution...there was no legal obligation on the school authorities to operate a school newspaper. However, since this state-supported institution did elect to coperate The Tropolitan and did authorize Dickey to be one of its editors, they cannot as officials of the State of Massachusetts, without violating the First and Fourteenth Amendments to the Constitution of the United States, suspend or expel Dickey from this state-supported institution for his conduct as that conduct is reflected by the facts presented in this. case.

In addition, the court found the "no criticism" rule of Troy State unconstitutional since it violated the "basic principles of academic and political expression as guaranteed by our Constitution." Thus the student newspaper was established as having a different relationship to its. "publisher" than the commercial press, where the publisher does indeed control the newspaper and what it prints. In the student press, therefore, even if the public college or university does pay the bills and can be called the "owner," administrators or advisers at those colleges and universities cannot determine content, and can censor only when they can prove there is material and substantial interference.



Kenneth Devol, in a 1974 article in College Press Review, reports on a 1968 survey conducted by The Chronicle of Higher Education with the cooperation of the American Association for Higher Education and the Association of Governing Boards of Universities and Colleges. Results illustrated that nearly half the trustees of colleges and universities surveyed felt that the administration should exercise "severe control over the student press." Asked if the administration "should exercise control over the contents of the student newspaper," trustees gave affirmative responses as follows: public junior colleges, 45 percent; Catholic colleges and universities, 45 percent; public colleges, 41 percent; private colleges, 40 percent; public universities, 35 percent; private universities, 31 percent. Even after Dickey and at the same time of Tinker, college and university officials felt administrators should censor student expression in the college press.

The Forum Theory is a legal concept which provides the rationale for cases prohibiting censorship of the student press, according to Forrest Claypool (1979). The theory stands for the principle that "once the government establishes a 'forum' for public expression of views, it may not censor speech taking place within that forum." The Supreme Court has consistently held that "any state regulation of an established forum must not discriminate against individuals because of the views they seek to express" (p. 44). These administrators are not publishers of the student press since

public schools are "arms of the state and therefore bound by the Constitution," which private publishers are not.

Claypool continues:

Courts addressing the issues have unanimously held that school administrators
may not control the content of student
newspapers merely because the papers
are created and funded by the school.
This is so even though they are written
by journalism students for academic
credit and are produced on school
property with school facilities (p. 44).

Tinker, which set the stage for the Forum Theory,
was followed shortly by Antonelli v. Hammond (1970). This
case involved John Antonelli, editor of the Cycle at Fitchburg (Mass.) State College, who printed an Eldridge Cleaver,
article with "four-letter words" and "street language."

The ruling confirmed that prior review of copy by the
president or an advisory board set up for that purpose was
"an unconstitutional exercise of state power," which would
be inconsistent with the "basic assumptions of First Amendment
freedoms to permit a campus newspaper to be simply a vehicle
for ideas the state or the college administration deems
appropriate." Trager states that the advisory board is
"analogous to advisers in smaller schools; thus the
Antonelli proscription against prior censorship could be
read as applying to advisers as well" (p. 44).

Another issue settled by <u>Antonelli</u> was that even though the college had financed the publication, and financial ties could be in the form of such items as direct subsidy, payment of an adviser's salary or provision of free room and

utilities, that financial aid, according to Trager in a 1975 article in College Press Review, "did not carry with it concomitant censorship powers over the paper's contents nor allowed withdrawal of funds during midyear because of a disagreement with those contents" (p. 3). Antonelli stated:

We are well beyond the belief that any manner of state regulation is permissible simply because it involves an activity which is part of the university structure and is financed with funds controlled by the administration... The creation of the forum does not give kirth also to the power to mold its substance... Having fostered a campus newspaper, the state may not impose arbitrary restrictions on the matter to be communicated.

By announcing that "the state is not necessarily the master of what it creates and fosters," Antonelli clearly establishes the Forum Theory for the student press and determine that although the institution might be considered the "owner" of student publications because it finances them, it is not the publisher.

Christopher B. Fager and Jill Abeshouse (1976), writing in Community College Journalist; contend that no one stands in the "position of publisher of a student newspaper, because the state does not possess absolute control over those aspects of publishing that are within the exclusive control of the commercial publisher" (p. 10).

Trager (1975) agrees with them that college administrators are not "publishers of student newspapers or periodicals, not as the word 'publisher' is used by the private, commer-

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cial press, not seemingly in the eyes of the judiciary"

(p. 5). He says that the definition of publisher used by the commercial publications involves three elements: first, control of the publication's finances, second, control of the publication's content; and, then tort liability for a publication's mistakes (p. 3%. However, Tinker, Antonelli and other case law clearly establish that the state, meaning college and university administrators and advisers, may not control content. Antonelli holds that financial aid to the publication does not allow censorship or withdrawal of funds during midyear, once they have been committed. Inally, Trager contends that there is a legal basis for stating that "public colleges are probably not responsible for student publications' torts" (p. 4).

Fager (1976) offers additional substantiation that liability lies with student editors and writers, and not with the institution:

No theory of law suggests that any duty should arise when an individual is legally not permitted to prevent libel. This is even more realistic in light of the realization that the school subjects itself to liability (under the Civil Rights Act) to students when it unconstitutionally acts to restrain publication...It is also a fundamental element of tort law that one who owes a duty and a standard of care must also have a right to maintain that standard. If one is neither in a legal nor practical position to fulfill the duty, no such duty can reasonably be imposed (pp. 38-39).

Also, the court in <u>Antonelli</u> held that the Massachusetts law giving the college president the power to distribute

student funds "does not make him ultimately responsible for what is printed in the campus newspaper," thus limiting his liability.

This opinion was upheld in <u>Bazaar v. Fortune</u> (1973) where an attempt by the University of Mississippi to censor a student magazine for the publication of profanity since it was "the publisher" was rejected:

There is a more basic reason why the University cannot be accorded the omnipotent position it seeks: The University here is clearly an arm of the state and this single fact will always distinguish it from the purely private publisher as far as censorship rights are concerned. It seems a well-established rule that once a university recognizes a student activity which has elements of free expression, it can act to censor that expression only if it acts consistent with First Amendment constitutional guarantees.

Bazaar and Trujillo v. Love (1971), which stated that once a university has established a student publication it "may not then place limits upon the use of that forum which interfere with protected speech," firmly enunciated the Forum Theory. Joyner v. Whiting (1973) upheld both as the court said funding could not be removed from student, publications for reasons having to do with freedom of expression: "If a college has a student newspaper, its publication cannot be suppressed because college officials dislike its editorial comment." It continued:

Censorship of constitutionally protected expression cannot be imposed at a college or university by suspending editors of student newspapers, suppressing circulation, requiring imprimatur of controversial



articles, excising repugnant material, withdrawing financial support, or asserting any other form of censorship based on an institution's power of the purse.

Thus the Forum Theory has received consistent support in the courts. Fager and Abeshouse state that "several relevant factual issues are crucial to a determination that a student publication has been established as a forum for student expression" (p. 11). The first issue is if the publication contains student expression on controversial matters in news and editorial format that are more than a "time and place sheet." The second is if the publication is open to free expression of ideas in all areas. The third ascertains if the publication is distributed on campus, and the final issue explores the reasons for the creation of the publication and its role on the campus. Once it is determined that the publication is a forum, then school officials have no control over the views expressed. However, the court did, in a high school case, provide administrators with the basis for "reasonable" regulation. Fujishima v. Board of Education (1972) ruled that school officials may promulgate "reasonable, specific regulations setting forth the time, manner and place in which the distribution of written material may occur." The terms "reasonable" and "specific" are considered paramount by the courts; the guidelines must be narrowly drawn with all terms fully defined. Most cases in which schools have attempted to regulate distribution have been denied.

Michael D. Simpson, writing in the Winter 1978-79 issue of Student Press Law Center Report, has stated that administrators have responded to student demands for press freedom in many instances by drawing up student publications guidelines defining rights and responsibilities of student journalists. However, the courts "have struck down as overbroad, vague, or too restrictive virtually every set of student guidelines submitted to them" (p. 30). Simpson offers a summary of the leading student press cases in which the courts have "upheld the right of students to publish or distribute material which school officials sought to suppress":

- School officials cannot censor criticism or punish those critical of school officials, the government or state legislatures. <u>Baughman</u>, <u>Dickey</u>
- 2. "The mere dissemination of ideas--no matter how offensive to good taste--may not be shut off in the name alone of 'conventions of decency'." Papish
- 3. School officials cannot remove an editor because the student newspaper has such poor grammar, poor spelling and poor use of language that it could "embarrass and bring disrepute on the school." Schiff
- 4. School officials cannot ban language which merely advocates illegal conduct without showing that such advocacy incites imminent lawless action. Joyner, Brandenburg, Baughman
- 5. School officials cannot prohibit the use of vulgar or profane words. <u>Bazaar</u>, <u>Fujishima, Papish</u>
- 6. School officials cannot ban literature because it is not school-sponsored written material, e.g., underground newspapers. <u>Vail</u> (p. 31).



Court cases on all levels have built upon the First and Fourteenth Amendments and the landmark Supreme Court ruling in <u>Tinker</u> to fully establish freedom of the student press. However, pressures for censorship still exist and will not disappear because of the case law that exists. Every student publication should have a set of guidelines detailing the responsibilities of that publication and setting specific journalistic standards to be met in each issue. Such standards, jointly constructed and agreed upon by all involved, would serve as a quality control mechanism and inhibit prior restraint from being practiced by less enlightened school officials.

Educational institutions are charged with the responsibility for teaching democracy and its practices. Censorship mechanisms can be inhibited by preventing prior restraint of the student press and encouraging an open forum for expression. Letwin feels that it is "misguided to see speech values as fundamentally at war with educational values," since good constitutional doctrine is "equally good educational doctrine" (p. 213).

The issue of censorship is one that faces nearly every adviser at some time. The question usually emanates from an administrator concerned with the "image" of the college or university with regard to something to be published. Therefore, one responsibility of the adviser is to educate all concerned of the constitutional right of those engaged in student publications to conduct a free and



unhampered investigation into matters that affect their community, and to print without fear of restraint.

The courts have upheld students' rights to freedom of expression. To establish a firm foundation upon which students can practice freedom of the press, advisers are responsible for educating those with whom and for whom they work about constitutional guarantees affirmed by the courts. These rights have not been clearly upheld in private colleges because there have been no landmark cases involving such colleges, but there is at least a moral or ethical obligation to grant students in private colleges the same freedoms and rights that public college students have.

Unprotected Speech: Libel and Obscenity

Legal decisions over the past decade and a half have consistently narrowed the circumstances in which student publications, or those connected with them or responsible for them, can be taken to court and charged with printing libelous or obscene material. However, as established in Near in 1931, libel and obscene language are not protected by the First Amendment. Trager and Dickerson (1979) find that student newspapers have a better legal record than the commercial press in libel cases. A 1973 study conducted by Barry Standley (1975) illustrated that only 19 libel suits were filed against collegiate publications in the previous 30 years, and in only one did the court render a verdict against the student press. That case involved an error that was allowed to slip through in advertising copy.



The same situation exists with regard to cases involving obscenity which have gone to the courts. Most have involved offensive language, but not obscenity. Even with these existing facts, college and university officials, and that designation includes many advisers, who have responsibility for student publications find themselves in a complicated situation as far as legal liability is concerned. If these individuals exercise any sort of censorship over potentially libelous material, they are violating the students' First Amendment rights. On the other hand, if they take no action, they can be sued for negligence in a libel suit, if one is so filed, along with the reporter and editor and as many other individuals who are named, including the university.

Trager and Dickerson feel that in the case of liability, it is "illogical to hold liable schools which are abiding by judicial decisions saying that content decisions should be left to students" (p. 59). Duscha and Fischer agree that "it would be inconsistent and unjust to penalize a college for failing to do what it could not legally do" (p. 80). Thus the institution and its administrators are in the best position as far as liability is concerned if they can prove they do not attempt to control the contents of their student publications. This same principle applies to advisers; those who work closely on a daily basis with the publication are more vulnerable than those who are available for advice when asked but who allow the publication to function on its own. George E. Stevens



(1976) reports that no decision of the courts has reached the question of "whether an educator could be legally responsible for defamation in a student publication" (p. 308), and it is likely that he would be responsible "only for his own misconduct and not for the negligence of student staff members" (p. 310).

M. Chester Nolte and John Phillip Linn note that foreseeability is an important consideration in negligence "If there is a known hazard, the teacher is expected to instruct the students thoroughly as to the dangers involved. Failure to furnish ordinary precautionary instruction constitutes negligence" (p. 246). Thus proper instruction on libel and obscenity laws provided to the staff should minimize any negligence attributed to the adviser. There is little case law concerning the liability of the university for defamation. In many states the doctrine of sovereign immunity is still extant, holding that the state cannot be sued without its permission, so it is therefore not liable for the torts of its officers, employees or agencies, and that would probably include the school-sponsored student publications. However, that immunity has been ended in many states so it i, wise for publications advisers to ascertain the status of sovereign immunity in their states.

Thomas E. Blackwell in College Law (1961) says that separate incorporation of the student publication may provide some protection to the college or university, but he warns that there is "always uncertainty" as to the extent to which



"the court will respect the legal fiction of separate corporate identity in the event of suit, if the parent corporation continues to exercise any substantial degree of control over the subsidiary" (p. 189). It is important, however, that the corporation is not just a "legal fiction" to minimize risks in the courts. Trager and Dickerson offer four methods of ensuring protection:

- 1. the formalities of corporate separation are rigorously adhered to.
- the newspaper purchases its own liability insurance—a sign of financial independence.
- a disclaimer is published in the newspaper stating that the views are not necessarily those of the university,
- 4. the statement of purpose in the charter includes a clause about the separateness of editorial control (p. 59).

In Langford v. Vanderbilt University (1959) the university provided evidence that the student newspaper was clearly independent from the institution when suit was filed against Vanderbilt as well as against the editor. The university was dismissed from the suit after proving the following:

- 1. the newspaper was not a university publication,
- 2. there was no advance censorship,
- no member of the staff was assigned as publications adviser,
- 4. students made their own contracts with printers,
- 5. profits and losses belonged to the editor and business manager.



Incorporation as a distinct separate legal entity and total financial separateness should aid in qualifying a student publication as independent and the institution as not liable.

Libel is defined as defamation by the written or printed word, or by picture or caricature, which holds someone up to public hatred, contempt, ridicule or scorn, or which injures him in his profession. The best defense against libel is truth. Two others most frequently used are qualified privilege and fair comment and criticism. Qualified privilege permits a publication to report on meetings that are official and open to the public, including all branches of governmental proceedings, boards of regents and trustees, student government, open court proceedings and most board meetings at public institutions. A majority of states have open meetings and records laws which need to be checked, and in all cases a fair, accurate and impartial summary of the proceedings is crucial to a defense against libel.

public figures whose actions place them in public view and thus open their particular positions to fair comment, but only upon the quality or credibility of that work performed in the public view, and not on their private life if it does not relate to their public performance. The Supreme Court broadened the scope of reporting and commenting on the public actions of public figures in New York Times Co. v.Sullivan (1964). This case involving a Montgomery, Alabama,

city commissioner announced that a public official or public figure could not recover damages for defamation with regard to his official conduct without proving the statement was made with "actual malice" or knowledge that it was false, or with reckless disregard for its accuracy. This was to enforce a

profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide open and that it may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials.

Letwin (1974) says that New York Times "protects the speech interest by reducing pressures toward self-censorship that a broad risk of tort liability inevitably creates" (p. 185). Two later cases, Gertz v. Robert Welch, Inc. (1974) and Time, Inc. v. Firestone (1976), redefined the actual malice rule to apply only to public officials and individuals who, according to Trager and Dickerson, "have achieved notoriety or fame in a particular controversy or who have achieved general fame or notoriety for all purposes and contexts" (p. 49).

The New York Times rule was extended to officials of public educational institutions by Reaves v. Foster (1967) by ruling that a school principal was "a public official or one concerned with public affairs." It was reinforced on the college level by Byars v. Kolodziej (1977) where a university professor at the University of Illinois was ruled a public figure because of the level of discussion during the



controversy over his tenure. The rule was also extended to include students in Klahr v. Winterble (1976), which involved a suit brought by Gary Peter Klahr, a student senator at the University of Arizona, against the Wildcat, the student newspaper, for an editorial calling him a "demagogue," among other things. The court found Klahr to be a public figure, firmly establishing that the student press has the right to exercise the privilege of fair comment of a public official inside the university community:

We do not conceive that it would be appropriate that there be one law of libel in this state for public officials off the campuses of our state universities and another law of libel be applicable to the student government officers upon such campuses, when the systems of politics and news media are so obviously patterned after the situation off campus, and when the publication is primarily addressed to the interested community.

The case law in this area fluctuates from one court to the next, and from one case to the next. The central prerequisite for definition of a public figure has generally been, according to the Student Press Law Center Report (1979), "a voluntary association with a public controversy with the purpose of influencing the resolution of the issues involved" (p. 40). In addition, the Trujillo (1971) finding seems to hold precedence that speech, even though potentially libelous and obscene, is protected and only if it "materially and substantially interferes" with campus discipline may its curtailment be considered.

Obscenity is the second type of unprotected language. However, because it is difficult to differentiate between what is profane, vulgar or in poor taste, court convictions for the use of obscene language are few. The first Supreme Court decision on obscenity, Roth v. United States (1957), stated: "Implicit in the history of the First Amendment is the rejection of obscenity as utterly without redeeming social importance." It suggested that obscenity be tested by ascertaining "whether to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interest." The broadness of this decision was further refined by the Supreme Court in Miller v. California (1973) where it ruled that states and communities could regulate obscenity: require a State to structure obscenity proceedings around evidence of a national community standard would be an exercise in futility." The court set three basic guidelines for the determination of obscenity:

- whether the average person, applying contemporary community standards, would find that the work, taken as a whole, appeals to prurient interest,
- whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law, and
- whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value.

In the student press, obscenity is a frequent concern of administrators. However, most instances of alleged



obscenity are merely profamity, or the use of language that is offensive and in bad taste, but not obscene, and not meeting the three-pronged Miller test. There are two major cases on the college level involving obscenity. In 1971, in Channing Club v. Texas Tech University, the district court warned against the censorship of language which is merely "lewd and vulgar," continuing that the test is not if the language is "annoying or inconvenient. Agreement with the content or manner of expression is irrelevant. First. Amendment freedoms are not confined to views that are conventional, or thoughts endorsed by the majority." In the only Supreme Court case, Papish v. Board of Curators (1973), the justices ruled that a state university may not expel students for distributing a publication utilizing four-letter words on campus. The court stated that profane language was protected by the First Amendment, whether on campus or off, and "the mere dissemination of ideas -- no matter how offensive to good taste--on a state university campus may not be shut off in the name alone of conventions, of decency . " The case also réaffirmed Antonelli (1970) and Channing Club (1971) by stating there was no evidence that the distribution of the publication caused material and substantial interference or disruption on the campus. This is always a key factor in the court's consideration of any action taken by . school officials against student publications. Any such cases receive close scrutiny by the courts and begin with a presumption against their constitutionality.

Laws of privacy in the various states, which protect the rights of persons to be free from unwarranted publicity, can also involve unprotected speech. Many can be considered under <u>Times</u> and its progeny. However, the Buckley Amendment, or the Family Education Rights and Privacy Act of 1974, should be of concern to the student press. Trager and Dickerson list the types of information controlled by this law:

academic work, course grades, attendance data, health information, family information, ratings and observations by school personnel, reports of serious or recurrent behavior patterns, and scores on intelligence, aptitude, psychological and interest tests. Release of this type of information can be made only upon the written consent of the student, except where release is to school officials or authorized education agencies (p. 57).

Basic directory information, including address, age, height and weight of athletes, names of parents, telephone number, major, activities, dates of attendance and degrees received, may be released without the student's objection. Therefore, student journalists must be careful about the type of information they release about non-public figures without written permission from them.

Function and Organ : ion of the Student Press

There are se basic functions of both the commercial and the student press: to inform, to educate and to entertain. In addition, the student press has the freedom and responsibility to interpret the institution to the students, faculty, staff, administration and community, and to encourage



uninhibited student investigation and free and open debate on all issues of concern to the university community which the publications serve. In the type of news and information that the student press communicates, and the audience which it serves, the campus press qualifies as a publication for students by definition, and not as an official publication of the institution. As such, it is published by students and exercises full freedom of the press, which Ingelhart (1979) defines on the campus level. as being concerned with whether or not the student staff is "free to publish what it wants with no prior restraint or approval being involved and with no disciplinary action being applied after publication." He continues that advice prior to publication and criticism following publication by "an adviser or by other persons are not restraints, but are part of the learning process of a student journalist and a student publication" (pp. 54-55). Ingelhart notes the two major principles that guarantee freedom of the campus press: first, the student editor and his staff are free to publish what the editor determines; and, second, the business operation of the publication must be fiscally sound, adequate, stable and efficient (p. 55).

A healthy and stable financial situation is vital to maint in the freedom of any student publication from varied outside pressures. Ingelhart looks at funding in the 1980's (p. 49) and projects that more than 90 percent of all colleges and universities will have newspapers, two-thirds will have

yearbooks and nearly 50 percent will have magazines or other publications. More than 90 percent of the newspapers and magazines and almost 80 percent of the yearbooks will be financed in some percentage by the college or university or by mandatory student fees. Only a minority will be independent or financed entirely by outside funding.

There are three basic organizations of student publications: first, a totally dependent laboratory or teaching mechanism for the journalism department or school, second, a partially or wholly-funded publication published by a board or student governing body; and, third, a fully independent campus publication totally funded by outside revenues. The position of the adviser in these three situations ranges from a faculty member having full control for all aspects of the publication to the adviser acting as precisely that—an adviser—to—an adviser—or—publisher—or—general manager being hired by the corporation to oversee the production and business sides of the publication.

In the instance of the laboratory publication, the adviser or faculty member is the publisher and the purpose of the publication is to develop journalistic skills, and not necessarily to provide a vehicle for free student expression. In this case, and under such narrowly-controlled guidelines, it is likely that charges of censorship by students would not be upheld by the courts. The status of such papers is legally questionable in prior restraint issues. Antonelli (1970) suggested that the status of a



publication as an activity published as part of a curricular offering might cause it to be viewed differently from an extracurricular activity in matters of how much the institution exerts control over it.

The second type of organization, that of a publication partially or wholly funded by the university and published by a board of some sort, is the most common type of format. These publications may be incorporated and may vest publishing responsibility in a board of directors or publications They may be unincorporated and place the responsibilities of the publisher in the editorial of other type of management board, or with the editor himself. In all cases, the college or university, or any of its officials, cannot be considered the publisher. They do not exercise any sort of censorship or editorial control over the publication and may not, either directly or indirectly, influence the contents of those publications if they are not legally libelous or obscene, or do not "materially and substantially interfere" with campus discipline. The role of the adviser to this type of publication must be precisely that -- an adviser -- and not a censor. The adviser may, under Trujillo (1971), discuss the form of submitted materials in order to meet reasonable standards of journalism, but they may not alter the content of those materials or request that the content be changed or withheld. In addition, in this situation, school officials have no power to suspend or dismiss student editors for exercising their First Amendment rights.

It is very important that guidelines be established for the operation of campus publications which are school-subsidized. Ingelhart (p. 59) offers some principles: the guidelines should be fairly short and non-argumentative, should clearly meet every constitutional test concerning freedom of the press and due process and should have precise language and avoid generalizations. In addition, it is recommended that a disclaimer statement be developed to indicate that the views expressed are those of the staff and not necessarily representative of the institution or its faculty, staff or students.

The fully-independent publication is one that has legally separated itself, via a corporation, from the university and can demonstrate full financial independence, including, in most instances, physical separation from the institution. The number of truly independent publications is minimal, although if the institution and publication are totally separate, there is little chance the college or university will be held liable in any legal suits, as illustrated in Langford (1958). The publisher in this case is the corporation or an individual or board charged with that responsibility by the corporation. The list of such corporations includes the Harvard Crimson, Michigan Daily, Cornell Daily Sun, The Rutgers Daily

Mencher, writing in College Press Review in 1973, contends that independence is an impossibility for most



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college newspapers since there is "not enough local advertising to sustain a quality publication in 90 percent of the college communities" (p. 17). Major revenue sources for these publications include individual and bulk subscriptions, advertising and other publishing ventures. Some independent newspapers own their own buildings and printing plants; all pay regular salaries to staff members and some hire a full-time general manager, publisher or adviser, as well as a professional business manager.

Ingelhart insists, however, that to be truly independent, the following conditions would have to exist at a minimum:

- The publication must be incorporated, but not as a non-profit, educational corporation.
- The publication cannot receive student fees or college of university subsidy, directly or indirectly.
- 3. The publication cannot use campus facilities or space or cannot enter into any publishing agreements with the university.
- 4. The publication cannot have a university adviser or have technical assistance or advice supplied by the university.
- 5. The university cannot participate in the selection or dismissal of staff--nor can it take disciplinary action against staff.
- 6. The publication cannot have any relationship to the instructional program.
- No. university or college staff can be on the board of directors of the publication.



- 8. Membership on the staff cannot be limited to students and readership cannot be confined primarily to students.
- 9. The newspaper cannot qualify for a second-class educational mailing permit or receive mail through the university mailroom.
- 10. Content of the publication cannot be confined to or dominated by university-related material (pp. 50-51).

The Ethics of Advising

The essence of the student press is that it serves as the conscience of the campus community. As such it is charged with both freedom and responsibility—freedom set forth by the First Amendment and protected by the courts, and responsibility defined in the ethics of good journalism and in the role of the press in a free society. National organizations and associations have long recognized the importance of the student press and have included recommendations supporting its freedom and responsibility in their individual codes of conduct. As early as 1947, the United States National Student Association, made up of student government officers throughout the nation, discussed the right of students to establish and issue publications managed by students.

The American Civil Liberties Union dealt with freedom of the college press in 1956 and reaffirmed both freedom and responsibility as concepts. Reprinted as an appendix in Estrin and Sanderson, the statement reiterated: "The



principle of freedom of the student press in institutions of higher learning is the only policy consistent with the traditional American devotion to civil liberties" (p. 291). However, the ACLU recognizes the college publication as a kind of monopoly on the campus and therefore cautions that the editor, in his news columns and editorials, "should be mindful that his voice is not that of one person responsible only to himself" (p. 290). The process is therefore balanced between the two concepts, as it is in the ACLU's 1968 Statement on Freedom of the High School Press, reprinted as an appendix in Stevens and Webster:

Freedom to express one's opinion goes hand in hand with responsibility for the published statement. The onus of decision on content should be placed clearly on the student editorial board of the publication. The editors should be encouraged through practice to learn to judge literary value, newsworthiness and propriety. The student press should be considered a learning device. Its pages should not be looked on as an official image of the school...Much may sometimes be learned from reactions to a poor article or a tasteless publication (p. 111).

In 1967, representatives of five major national associations gathered in Washington to draft a Joint Statement on the Rights and Freedoms of Students. The organizations included the American Association of University Professors, the United States National Student Association, the Association of American Colleges, the National Association of Student Personnel Administrators and the National Association of Women Deans and Counselors. Subsequently endorsed by at



least a dozen other organizations, and still the standard for student rights today,—the statement philosophically, provides for student publications by stating:

Student publications and the student press are a valuable aid in establishing and maintaining an atmosphere of free and responsible discussion and of intellectual exploration on the campus. They are a means of bringing student concerns to the attention of the faculty and the institutional authorities and of formulating student opinion on various issues on the campus and in the world at large (p. 1).

It also places responsibility on the institution, in consultation with the students and faculty, to provide "written clarification on the role of the student publications, the standards to be used in their evaluation, and the limitations on external control of their operation" (p. 4). Responsibility is placed on the publication and its editors "to be governed by the "canons of responsible Journalism," and to guard against "libel, indecency, undocumented allegations, attacks on personal integrity, and the techniques of harassment and innuendo" (p. 4). Freedom is established through calling for the student press to be totally free of censorship and to have no advance approval of copy. Editors are given the responsibility for developing their own editorial and management policies.

The Commission on Campus Government and Student
Dissent of the American Bar Association issued its Statement
on the Freedom of the Campus Press in 1970; it defined
freedom of he press as but "a special aspect of freedom of



speech," and cautioned that censorship should be avoided
"in the determination of printed matter available on
campus" (p. 14). The statement maintains that student
elitors should be free from "arbitrary suspension and removal
from office because of student, faculty, or administrative
disapproval of editorial policy or content" and further
maintains that any removal should be by "orderly and
prescribed procedures" (p. 15).

Several national journalistic associations have issued a Code of Ethics, including the largest professional group, the Society of Professional Journalists, Sigma Delta Chi (1973). The SPJ code speaks of both the freedom and the responsibility of the press. Freedom is defined as carrying with it the ability to "discuss, question, and challenge actions and utterances of our government and of our public and private institutions" and to seek the truth as part of the "public's right to know the truth" (p. 1). Responsibility is defined as the "public's right to know of events of public importance and interest," and as the distribution of news and enlightened opinion to "serve the general welfare." The code further defines responsibility as carrying obligations that "require journalists to perform with intelligence, objectivity, accuracy and fairness" (p. 1).

These codes or statements all stress a commonality: that student publications have a basic freedom of expression and freedom from censorship, and, at the same time, have

basic responsibilities to adhere to reasonable journalistic ethics and to pursue the truth in all instances. The protection of editors from arbitrary removal is advocated, as is providing a firm financial base so that the publication is autonomous and can maintain its integrity in providing a mechanism for free expression. The statements also contend that content should be complete, accurate and fair, that libel and obscenity, which are forms of unprotected speech, should be avoided and that adequate opportunities should be provided for a free and full exchange of opinion and access for all points of view.

The adviser to student publications often finds himself in the center of what frequently becomes a conflict between freedom of the student press and the responsibilities that go with that freedom. His role on the nation's campuses may vary from the individual who reads and edits all copy before it goes to the printer, to the individual who never steps inside the publications office, to the fulltime manager hired by an independent corporation. the range of these three options are perhaps as many gradations of freedom and control as there are colleges and universities, and as there are expectations on the part of administrators for restrictions to ensure the "image" of the institution. Many of the worst forms of censorship are those that are implied, subtle or hidden. One that falls into this classification is when an administrator has control of the fee allocations, or chairs the publications board.

Another occurs when the adviser has the power of the grade over a class that editors take, or the power of appointment to posts on the publication.

The role of the adviser is precisely what the name denotes—an adviser, who provides guidance and advice to the students who are the ones who run the publication and make all the decisions. He is not the editor of the publication, nor is he a censor. He is a teacher who has the responsibility to explain and to demonstrate those qualities and skills which are necessary to create a professional publication. He is an educator who teaches students to be critical of what they do and responsible for what they write and edit. The adviser guides the learning process of staff members and brings to the position all the ethics and responsibilities of the professional educator, a wide knowledge of human nature and the ability to work and communicate with others in learning activities.

In his role as a journalist, the adviser has the educational obligation to help students understand the role and responsibility of the press in relation to the society it serves, and to lead them to develop the skills of the journalistic craft. This individual should guide students to an understanding of the ethics and responsibilities of contemporary journalism, and their impact upon the student press. The adviser should be a mediator and guide for the staff as they attempt to produce; publication which represents thorough, fair and accurate coverage in the



best traditions of a free, ethical and responsible press in America:

The National Council of College Publications Advisers has a Code of Ethics to which it asks all of its The active members of NCCPA are membership to subscribe. those same individuals surveyed in this study. divides the requirements for advisers into three categories, what the adviser should be, what the adviser must have and what the adviser should do (p. 1). According to the code, the adviser should be a professional counselor to provide competent advice in the editorial and business areas; a teacher to explain and demonstrate; a critic to pass judgment on work and commend excellence; and an adviser to be respected by staff for professional ability and contributions to Secondly, the adviser must have "personal the publication. and professional integrity and never condone the publication of falsehood in any form"; be firm in his own convictions and reasonable toward the views of others; be sympathetic toward staff and understanding of their viewpoints; and seek to direct staff toward "editing a responsible publication." Finally, the adviser should direct staff when needed but not restrain them; never be a censor, but point out errors; make suggestions and not give orders; be available at all times for consultation; instill in staff a determination to produce a professional publication; lead staff to recognize that the publication represents the college; and encourage accurate reporting Andia factual basis for editorials (p. 1).

Several studies have listed the qualities of a good adviser and defined some of the responsibilities and prerequisites for this position. Mencher (1968), writing in College Press Review, lists attributes editors said they would like advisers to have in a study sponsored by the Columbia University Graduate School of Journalism. says that the ideal adviser would be one whose "journalistic knowledge and teaching competence are high," and one who would be the staff's "critic and inspiration," teaching.the skills of journalism "along with the values of the profession. Mencher stresses that the adviser would not be "the institut tion's errand boy, nor would be impose his views on the staff." Editors emphasized the role of the adviser as the "walking, talking advocate of the publication's tradition," providing a "continuity of purpose" since staff turnover on student publications is so great. In this way the publication would be able to present a "consistent point of view" to its readers (p. 12).

In a 1962 study by Robert Andrew Schoonover, reported in Estrin and Sanderson, several student editors said they could use more aid from their adviser, particularly since they had inadequate experience as editors. Areas of needed assistance included selection and organization of a staff, settling editorial policy, training a staff and generally being shown how to run a newspaper (p. 96). Gibbs, in a 1970 study, states that the college newspaper staff should have an adviser who advises and teaches by informing students



in such matters as "journalistic ethics and responsibility, libel, copyright, writing and technical skills." She adds that the adviser has "no authority to censor material or to establish editorial policy" (p. 93).

Herman A. Estrin (1974) reiterates Mencher's comment that the adviser provides tradition and continuity since "editors come and go." He says the adviser remains "to provide a continuum of r.ilo phy and policy" of the publication and to "inculcate and perpetuate a love of learning, a seeking for knowledge, and the courage to use this knowledge for the improvement of the college community" (p. 15). He then lists the functions of the adviser: to define the objectives, ethics and philosophy of the publication; to serve as a sounding board for the editor; to encourage the staff through the publication to join professional journalism organizations or associations; to supply resources; to help recruit staff; to present rewards for meritorious service; and to provide research in journalism (p. 16).

Arthur O. Sanderson, the major proponent of the "Train 'em and then trust 'em" philosophy of advising, discusses the adviser's role in Estrin and Sanderson by saying that if advisers are to be "worthy of that most descriptive job title," they should not sit back in their office chairs waiting for the staff to seek them out, but they should, instead, take the initiative to do "some real advising" when they see "a need for it" (p. 71). Charles E. Barnum, also writing in Estrin and Sanderson, calls for the



advising process to develop "professionally oriented students of journalism" who are able to exercise independent judgment of news values; recognize responsibility imposed by the freedoms granted by society; recognize journalistic restraints which include libel, good taste, fair play and respect for individual privacy; and adhere to fair and impartial reporting and editing (p. 36).

J. W. Click (1975) offers a series of requirements ... for the student publications adviser in a set of principles for advising secondary school student publications. differ very little from principles for colleges and universities. He first lists those areas in which the adviser must have preparation: journalistic writing, editing, design and layout, photography, advertising, ethics and law, history and the relationship of mass media to American society. The adviser must then "offer all editors and staff members sound advice but never write, edit, produce, or censor the publication." In addition, this individual must establish a "working relationship, regular open discussion, and mutual trust" between the addinistration and the staff, "never losing sight of the functions and rights of the student press and always facilitating a clear understanding of them" by the administration. Equally important is the adviser's function as a Liaison with the administration to provide an understanding of the "ethics and responsibilities of a free press and of student publications." The adviser thus functions in the role as mediator, ensuring full communication of administrative policy to editors and full communication of the "duty of the institution to allow full and vigorous freedom of expression" to administrators (p. 1). Finally, Click discusses the responsibility of the adviser to work with students toward the formulation of "basic policies and procedures for the publication" (p. 2).

Mencher offers a profile of the college adviser from his study sponsored by Columbia Uliversity and reported in College Press Review (1968). The responsibility of advisers ranges from "maintaining the newspaper's tradition to ordering copy paper." His habits range from being on hand daily to being an occasional visitor. Some are "censors -- hired hands whose job is to maintain the university's image," and others are "journalist-educators with high professional standards." Most are young men and women "plucked from the faculty to handle a job in which they have little interest and for which they are unprepared" (p. 8). Mencher reports that two-thirds of advisers are aware of their president's disapproval or "lack of ease" in his relations with the student newspaper (p. 9), and that one out of three advisers reads copy prior to publication (p. 10). The study also illustrates the students' view that the adviser who thinks he is doing his job by "being available to the staff only when members seek advice is as derelict as the censurious adviser." Mencher contends that where tradition is lacking on a publication, if students are left alone, they will sink to "mediocrity." He calls



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for the adviser to "set the standard for performance," or the staff will descend to "a daily or weekly exercise in manual labor, shoveling copy from any source into the typesetter maw" (p. 11).

A later study by Mencher of 223 advisers nationwide, reported in College Press Review in 1974, reveals that instead of one out of three advisers reading copy prior to publication (Mencher's 1968 study), two out of three read copy six years later. Of the respondents, only 25 percent consider their newspapers completely free. Many of these individuals stated that they read only "for obviously illegal material," but some said they "eliminate poor grammar and edit bad writing." Mencher comments that these responses indicate they "do not consider this kind of pre-publication reading to be akin to censorship" (p. 3). In surveying junior colleges for the first time, Mencher reveals that 57 percent of those advisers were dissatisfied with their staffs, 68 percent read most or all material prior to publication and 70 percent of the néwspapers were associated? with journalism schools or departments. Some advisers gave reasons for their control over the publication by saying they were told by the administration that they were responsible for the publication's contents and that "the freedom of the senior college campus does not extend to them and to their students" (p. 5).

There is a wide variance between the legal and ethical role of the student publications adviser and the

reality of many situations that exist throughout the country where advisers are fired, denied promotion or salary increases, reassigned to other teaching or administrative duties or denied tenure because they have encouraged their staffs to explore their world and to report accurately and truthfully. That situation will continue as long as administrators are unenlightened as to legal precedents and the ethics of press freedom as applied to student publications.



CHAPTER III

PROCEDURES AND METHODOLOGY

Statement of the Purpose

The four major purposes of this study are as follows:

- 1. To conduct research into press law as it relates to college and university student publications in order to provide a legal and ethical foundation and background for the study.
- 2. To ascertain currently-practiced advising procedures and attitudes on a national level via a questionnaire/survey sent to the more than 400 active members of the National Council of College Publications Advisers, the only national professional essociation for college and university student publications advisers.
- 3. To develop a profile of college and university student publications advisers.
- 4. To develop a series of recommended guidelines for professional standards for college and university student publications advisers nationally that would establish direction for administrators and advisers on an ethical, legal and responsible level and that would be disseminated through the National Council of College Publications Advisers.

The ultimate result of this study is to ascertain the current practices and attitudes of college and university student publications advisers and to establish a series of guidelines outlining the rights and responsibilities of students, advisers and administrators involved with student publications at institutions of higher education in the United States today. These guidelines will be presented to the National Council of College Publications Advisers for adoption as national standards and for dissemination to presidents and vice presidents of student affairs/deans of students and to student publications advisers in all colleges and universities in the nation. This would be definitive progress in the educational process for administrators, advisers and student staff members.

Procedural Methods

This study presents descriptive research into college student press law and the practices and role of the college and university student publications adviser. It also involves the development of a product, a set of guidelines for professional standards for student publications advisers to be established as a result of answers secured on a questionnaire/survey sent to 410 members of the National Council of College Publications Advisers. which yielded a profile of college and university student publications advisers and a view of current advising practices and attitudes toward the job of being an adviser. This information, combined with the research into press law

and the ethics and responsibilities of the press, provided the foundation for the development of standards and guide—
lines for college and university 'student pub' ications advisers.

Research questions 1 and 2, as follows, are answered in Chapter II of the study which defines a legal basis for the student press and discusses the responsibilities of advisers in light of that legal basis:

- 1. What are the legal restrictions placed on the student publications adviser?
- 2. What are the responsibilities of the student publications adviser?

Research questions 3 and 4, as follows, are answered in

-- Chapter IV of the study which analyzes the data secured on
the questionnaire which was designed to obtain answers to
these questions:

- 3. What are the characteristics of today's college student publications adviser?
- 4. What is the role of the student publications adviser as currently practiced?

Research question 5, as follows, is answered not only through Chapter II, but also through the development of the guidelines for professional standards for college and university student publications advisers, which is a product of this study:

5. What should the professional practices of the student publications adviser be?



Population Surveyed

The population surveyed was 410 individuals, the total 1979 active membership of the National Council of College Publications Advisers (NGCPA), the only national professional organization for college and university student publications advisers. Distribution of members included more than 400 different institutions in 46 states and the District of Columbia. This was a non-random sample since it included the total population of the active membership of the NCCPA, an organization recognized nationally as speaking on issues related to the student press for the 25 years of its existence. Ten questionnaires were returned with notes indicating the colleges had gone out of business, or had been merged, or that the individual was no longer That left 400 valid questionnaires that were mailed out, 298 of which were returned, or 74.5 percent responding, a high enough percentage of return to establish validity for the answers.

The Instrument

The questionnaire/survey entitled Student Publications
Advising Survey was divided into two parts: Adviser Profile
and Opinion Profile to solicit information which would elicit
information falling into two categories. The first part
was designed to provide demographic data for a profile of
those individuals currently employed nationally as advisers
to college and university student publications. The second

part was designed to provide data eliciting the Opinions of advisers on issues facing them as they currently practiced their advising profession (Appendix D).

A cover letter with each of the surveys explained that the survey sought "answers to questions important to assessing the role and practices of the student publications adviser," and stated that respondents' answers would "aid college and university student publications advisers and provide a basis for the recommendation of professional standards and further study by NCCPA" (Appendix C).

The survey was submitted to a four-person panel of experts as follows: J. William Click, professor of journalism at Ohio University and immediate past-president of NCCPA, John A. Boyd, professor of journalism at Indiana State University and executive director of NCGPA; Nancy L. Green, student publications adviser at the University of Kentucky and president-elect of NCCPA; and Richard Sublette, publisher of the Illini Publishing Company, University of Illinois, and vice president-elect of NCCPA. They were asked to rate each question on the survey on a scale of one to five, poor to excellent (Appendix A). The mean of each set of ratings was calculated and reported out (Appendix B); those questions with ratings below 4.75 were revised to provide validity for the survey. Each member of the panel of experts was asked to "either edit the question or state why you have rated it thus" on any question given less than four.



Following these revisions, the cover letter and sur many were mailed to the 410 active members of the NCCPA for 1979-80 with instructions to fill the survey out immediately and return it in the addressed, stamped envelope which was enclosed. A follow-up survey and new cover letter were sent to all those not returning the original questionnaire one month later to attempt to secure a higher percentage of returns.

Tre ment of Data

questions designed to provide demographic data to elicit a profile of the college student publications adviser.

Percentages for the answers for relevant questions are displayed in tables and appendices within the paper, as well as reported descriptively within the text. Information reported includes categories explored, number of respondents and percent of respondents. Implications of the percentages for each of the questions where relevant are discussed fully, particularly as they relate to experience and training in the journalistic field or in a closely-related field. In addition, a Profile of Media Advised by Respondents (Appendix F) was calculated and placed in the appendices to serve as an overall reference for the study.

Part II of the survey, Opinion Profile, contains
21 questions, a majority of which were answered by a "yes"
or "no" response. Percentages of responses to these questions
are displayed in tables and appendices to illustrate what

that they encounter in their everyday work with students on publications. These answers have then been discussed in relation to the rights and responsibilities of advisers as revealed through research into press law and into recent court cases. Conclusions have then been drawn as to how much current advisers are really aware of what their role should be, both ethically and legally.

The 298 questionnaires which were returned were keypunched and run through the computer under a program called the Statistical Package for the Social Sciences. A total of 131 variables were identified. The first set of statistics secured included the number and percentage of respondents for each of the questions and its sub-parts on the survey. The second set of statistics involved a cross-tabulation of variables to seek relevant data by category. Comparisons particularly important to the study included a cross-tabulation of the questions in the Opinion Profile with the number of journalism courses taken by advisers, the years of professional journalistic experience of advisers and the type of institution at which the adviser was employed.

In addition, several variables were submitted to a cross-tabulation by sex of advisers, including years of professional journalistic experience, age, educational background and type of institution. The type of institution at which advisers were employed, a particularly significant.

variable, was submitted to a cross-tabulation of years of advising experience, age of advisers, years of professional journalistic experience, number of courses taken in journalism/communications, educational background of advisers, reason for becoming an adviser and main teaching or administrative area, In the Opinion Profile, a cross-tabulation of type of institution was carried out with several questions related to censorship, including the following, should an adviser read copy prior to publication, should an adviser correct misspellings students make in copy, should an adviser correct factual inaccuracies and do you read copy or advertising prior to publication. The question in the Opinion Profile relating to should an adviser read copy prior to publication was considered a key to the study and was therefore cross-tabulated by teaching or administrative area of advisers, number of journalism courses taken by advisers and years of professional journalistic experience of advisers, in addition to the type of institution at which the adviser was employed.

Since every adviser returning the survey did not answer every question, or certain segments of some questions were not relative to every adviser, an adjusted frequency percentage was computed for each answer to the questionnaire. Thus the tables and appendices could utilize a 100 percent base for calculation of percentage of respondents.

Some advisers wrote notes next to some of the questions, and some treated questions as being open-ended and commented

on the answers they gave. Others wrote lengthy comments. at the end of the questionnaire. These remarks were also utilized where appropriate to the Opinion Profile. A descriptive analysis of the data from both parts of the survey supplied adequate background and direction for the subsequent development of guidelines for professional standards for advisers since the tabulated responses indicated areas that needed to be stressed in depth, and ethical, legal and managerial issues that required expansion and needed to be addressed.

CHAPTER IV

PRESENTATION OF RESULTS

The Average Adviser

Answers of the 238 respondents to the first part of the Student'Publications Advising Survey, the Adviser Profile, provide a valid picture of student publications advisers nationally. The 74.5/percent response rate of the active membership of the National Council of Colle; e Publications Advisers to the questionnaire is representative of the views of all college and university student publications advisers since the NCCPA is the only national professional organization of its kind serving such advisers In adation, its membership of over 400 represents that many institutions of higher education in 46 states and the District of Columbia. The 20 questions on the Adviser Profile sought to secure the characteristics of today's college student publications advise. nationally, and includes the following information: the type of institution where they are employed, the media they advise, the number of years they have been advising, the number of years of professional journalistic experience they have and in'what fields, the number of journalism/communications courses they have taken, the professional organizations to which they belong, their reason for becoming an adviser, the area or person to when they report and their major administrative or teaching field. Through an analysis of the data

returned on the Adviser Profile part of the survey, an attempt was made to secure a profile of the average adviser and to provide some information on his educational and professional training in the field of journalism or communications and on his advising experience.

The average adviser is a 41-year-old male with a master's degree who has taken more than nine courses in journalism. He works at a four-year public institution with an enrollment of over 5000 students and advises the student newspaper, which is a weekly. He has had 9.5 years of experience as an adviser, some of which were on the high school level, and has five to six years of professional journalistic experience. In addition, he teaches journalism, is not the only adviser on campus and does not have a written job description. Finally, and a very significant factor, he is not required to read copy prior to publication.

Males comprise 67.9 percent of all advisers, outnumbering women 2 to 1. A majority of males surveyed (47.2 percent) were located at four-year public institutions, while a majority of the women (37.2 percent) were at two-year public institutions (Table 1). More than half of all advisers responding (54.7 percent) work at institutions with a head-count enrollment exceeding 5000; 29.9 percent of those are at colleges and universities with more than 10,000 students. As far as age of advisers is concerned, 2.7 percent are under 25 years of age; 59.8 percent are between 26 and 45 years of age, and 37.5 percent are 46 years of age and older (Table 2).

TABLE 2
PROFILE OF ADVISÉRS BY AGE

Age	N	Percent	
under 25	. 8	2.7	
26-35	89	30.1	•
36-45	86	29.7	1
46-55	67	22.6	
over 55	44	14.9	
•	ท=294		
		N. Carlotte	

Profile-of Media Advised

A vast majority (85.6 percent) of those responding to the questionnaire advise newspapers, with the single largest category of newspapers advised being weekly (44.3 percent). Daily newspapers comprise 16 percent of newspaper advisers responsibilities. Of the weekly newspapers, a majority have a pressrum of under 3000 and are tabloids with five to eight pages. The ypical daily newspaper has a pressrum of over 6000 and is a tabloid with more than 12 pages.

Of those responding, 43 percent advise yearbooks. The typical yearbook has a pressrun of under 3000 and 161-304 pages. Less than one quarter of those responding (22.8 percent) advise magazines. The typical magazine has one of four issues and is classified as literary. Only 7 percent of those individuals responding advise radio and

1.42

l percent advise television (Appendix F). As expected, a clear majority of advisers (89.9 percent) are editorial advisers, and the second highest percentage, 81.9, advise the business side of the publication. Production advising ranks third with 77.9 percent, photography next with 75.2 percent and advertising next with 71.1 percent. The data illustrate that most advisers have responsibility for all sides of the advising process.

TABLE 3
ADVISING RESPONSIBILITIES

Area	In .	Percent	
Editorial	268	89.9	
Business	244	81.9	
Froduction	232	77. 9	
Photography	224	75.2	
Advertising	212	71.1	
Engineering	26	8.7	
Other	21	7.6	

Educational and Professional Background

Of all advisers responding, 63.9 percent indicate that their highest degree is a master's, while 20.3 percent have doctoral degrees (Table 4). A majority of advisers

TABLE 4
EDUCATIONAL BACKGROUND OF ADVISERS

Degree	N	Percent	
None	2	.7	
Associate	3	1.0	
Bachelor's	42	14.2	
Master's	189	63.9	
Doctorate	60	20.3	
,	N=?96		

with doctoral degrees are at four-year public (43.3 percent) and four-year private (33.3 percent) institutions. A majority of those with master's degrees work at four-year public colleges and universities (40.7 percent) and two-year public institutions (34.9 percent), and those with the bachelor's at the same sites, 39 percent and 31.7 percent, respectively (Appendix G). When compared by sex, 23.7 percent of all male advisers hold doctoral degrees and 60.1 percent hold the master's. In contrast, fewer females hold doctoral degrees (12.6 percent) as compared to the master's (71.6 percent!. Other degrees held are comparable by sex (Appendix H).

Educational preparation in the field of journalism/ communications ranks high, with 67.1 percent of advisers responding that they have taken more than eight courses in the field. However, 8.2 percent have taken no journalism or communications courses, and 14.8 percent have taken one to four (Table 5).

TABLE 5

NUMBER OF COURSES TAKEN IN JOURNALISM/COMMUNICATIONS

Number of courses	N	Percent		
None	. 24	8.2		
1-2	25	8.6		
3-4	18	6.2		
5-6	17.	5.8		
7-8	12	4.1		
More than 8	196 -	67.1		
	N=292	,		

Professional journalism experience ranks lower than educational preparation in the field, with 18.8 percent of advisers indicating that they have no professional experience, and another 10.1 percent having one year of experience. At the other end, 26.2 percent have over nine years in the field (Table 6). As to the types of that p. fessional experience, more than half (57.4 percent) cite newspaper experience; 23.2 percent, freel nce work; 12.8

TABLE 6

NUMBER OF YEARS

PROFESSIONAL JOURNALISM EXPERIENCE

Years	Ŋ	Percent	,
None	56	18.8 \$	
1 ,	30	10.1	,
2-3	43	14.4	
4-5	47	15.8	
6-7	28	9.4	\$ 1
8-9	16	5.4	
Over 9	78	26.2	
,	N=298		• • •

percent, magazines; and 11.4 percent, broadcast experience. Professionalism is also indicated by adviser memberships in radia-related organizations and associations on the local, state and mational levels. The 10 organizations receiving the highest percentage of adviser memberships, in addition to the National Council of College Publications Advisers, are as follows: Society of Professional Journalists, Sigma Delta Chi, 41.3 percent; state collegiate press associations, 35.2 percent; Association for Education in Journalism, 30.5 percent; state press associations. 28.5 percent; Associated Collegiate Press, 20.1 percent; Community College Journalism Association, 15.5 percent, Kappa, Tau Alpha, 10.7 percent;

Society of Collegiate Journalists, 9.4 percent; Women in Communications, Inc., 7 percent; and National Press Photographers Association, 6 percent.

The Advising Situation

The average adviser has been working in that capacity for 9.5 years, some of which have been on the high school level. Of those responding, 2.4 percent have no experience, having just taken the job or been named adviser. More advisers (40.1 percent) have between one and five years of advising experience than any other category; 21.3 percent have six to 10 years of experience. Those responding to being advisers for more than 10 years comprise 36.2 percent of the total, with one adviser having 41 years of experience and two others having 33 years each. When compared to the type of institution at which advisers are employed, the length of service is relatively consistent for the four-year public In every category, from no years of experience (57.1 percent) to over 15 years of experience (37.5 percent), four-year public colleges and universities rank the highest. Two-year public institutions have the second highest percentage (28.6) of advisers with no advising experience and the second highest percentage (33.9) of those with over 15 years. A higher percentage of experienced advisers are employed at public institutions than at private colleges or universities (Appendix I).

A clear majority (57 percent) of respondents state that it was their personal choice to become an adviser, while

31.5 percent were appointed by an administrator. Those advisers hired by a publishing board comprise 6.1 percent of those responding, and 5.4 percent were selected by the staff. More advisers at two-year public (39.1 percent) and four-year public institutions (41.4 percent) state that they became advisers by personal choice than any other group of advisers, and of those appointed by an administrator, 38.3 percent are at four-year public colleges and universities and 36.2 percent are at four-year private institutions. G Of those hired by a publishing board, 57.9 percent are at four-year public institutions (Appendix J).

Journalism is the leading teaching or administrative area of advisers (45.6 percent), followed by English/human—ities, 14.8 percent; full—time adviser, 9.7 percent; full—time administrator; 7.4 percent; public relations, 6.7 percent; communications, 6.4 percent; student affairs, 4.7 percent; and the natural and social sciences, 1.7 percent. Of those advisers teaching journalism, 44.1 percent are at four-year public institutions and 36.8 percent at two-year public colleges. The largest percentage of those teaching English/humanities are found at four-year private institutions (43.2 percent) and at two-year public colleges (36.4 percent). Of the full-time advisers, 69 percent are at four-year public colleges and universities.

More than half (58.4 percent) of the advisers report to an administrator, 29.5 percent to a publications board,

1.3.8 percent to an academic unit, 4 percent to student govern-



ment and 1 percent to a student union board or trustees.

Some report jointly to more than one unit. Of all advisers responding, 41.3 percent function as the only adviser on campus. Even though more than half are paid for advising (68 percent), that leaves 32 percent who receive no pay for their student publications duties. Of those paid, 52 percent receive compensation as part of their regular salary; 17.4 percent receive released time and 8.4 percent receive overload pay.

Censorship on the Campus

Answers to the 21 questions on the Opinion Profile of the Student Publications Advising Survey elicit a substantial profile of the role of the student publications adviser as currently practiced on a national level. Even though 78.2 percent of advisers respond that students should have full control over editorial content, answers to other questions indicate that prior review and prior restraint are being practiced in varying degrees and on varying levels. When asked if advisers should correct misspellings prior to publication, 42 percent state they always should, and on the correction of factual inacurracies, 46 percent respond that advisers should always correct copy. Even though 37.4 percent of the respondents state advisers should seldom read copy prior to publication, and 16.9 percent state they never should, a disturbing 45.7 percent indicate that an adviser should usually or always read copy. When asked if they themselves . read copy or advertising prior to publication, more than

half (50.2 percent) respond that they usually or always read copy and only 12.8 percent indicate that they never would (Table 7).

When the responses to the Question of should an adviser read copy prior to publication are cross-tabulated by the type of institution at which advisers are employed, two-year private and two-year public institutions have the highest percentage of always and usually responses, 66.7 percent and 65 percent, respectively, while four-year public institutions have the highest percentage of seldom and never responses, 67.3 percent (Appendix K). When asked to respond to whether or not they did indeed read copy or advertising prior to publication, 70 percent of upper division advisers state they usually or always do so (however, the number of respondents was extremely low for this category); 66.7 percent of both two-year public and two-year private advisers have similar responses. Seldom or never replies fell heavily to four-year public and four-year private institutions, 67.3 percent and 56.1 percent, respectively (Appendix L).

When responses of advisers reading copy or advertising before publication are cross-tabulated by the number of years of professional experience; replies are split, with ranges of 50.1 to 55.6 percent of those with four or more years of journalism experience stating that copy should seldom or never be read. However, a significant percentage of responses indicate advisers should always read copy, with 31.3 percent of those having eight to nine years of experience answering

9.3

TABLE 7
OPINION PROFILE OF ADVISERS

Opinion Profile	Always	Usually	Seldom	Never
		· ·		
Should adviser read copy prior to publication?	19.1	° 26.6	37.4	16.9
Should adviser correct misspellings prior to publication?	42.0	19.9	18.8	19.2
Should adviser correct factual inaccuracies prior to publication?	46.0	16.0	19.0	19.0
Do you read copy or adver- tising prior to publication?	19.6	30.6	37.0	12.8

they always read copy and 20 percent of both the four to rive years and 10 or more years categories responding that they also always read copy (Appendix M). Even though advisers have professional journalistic experience, they still read copy and advertising prior to publicat on. When the teaching or administrative area of the adviser is cross-tabulated by the question of should an adviser read copy prior to publication, 40.8 percent of journalism teachers say always or usually; 63.4 percent of English/humanities teachers agree, as do 37 percent of full-time advisers, 40 percent of full-time administrators and 52.6 percent of those in public relations (Appendix N).

On other sections of the Opinion Profile, 31.5 percent of advisers state that advisers should read copy if the president or other administrator asks them to do so, and 13.8 percent believe the president may fire the editor. Changes in copy by the adviser are not considered censorship; 38.9 percent read proofs before the publication is printed, and 41.3 percent check pictures and captions before printing (Appendix O). In a comparison by the type of institution at which the adviser is employed, several questions in the Opinion Profile are significant statistically. Asked if the president may fire the editor, four-year private institution advisers rank highest with 28.3 percent affirmative responses, and two-year private colleges rank second with 16.7 percent. Two-year private school advisers provide the strongest negative response (83.3 percent) to changes by the adviser being

considered censorship, and the strongest affirmative response to reading proofs and checking pictures and captions before printing, 83.3 percent and 66.7 percent, respectively. In addition, two-year public colleges also rank significantly, with 47.8 percent of advisers reading proofs before publication (Appendix P).

A cross-tabulation was carried out on the Opinion Profile by the number of journalism courses taken by advisers. Those with none or one to two journalism courses respond, 50 percent and 45.8 percent, respectively, that the adviser should read copy if asked by the president or other administrator. Advisers with one to two courses also feel changes by the adviser are not censorship (77.3 percent). Advisers with one to two courses also feel changes by the adviser are not censorship (77.3 percent). Advisers with one to two courses also rank highest in reading proofs prior to publication (60 percent) and in checking pictures and captions (64 percent), whereas 35.7 percent of those with nine or more courses read proofs and 40.8 percent check pictures and captions (Appendix Q).

Toward the Professional Adviser

Cn the positive side, the Opinion Profile indicates that 85.6 percent of dvisers conduct staff training sessions and 78.9 percent have a stylebook. However, only 66.1 percent have published job descriptions for editors and 56.7 percent have editorial or staff policies. In addition, only 44.6 percent of advisers have written job descriptions and on only 22.8 percent of student publication are journalism courses a prerequisite for staff positions (Appendix O).

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Editorial/staff policies are in existence at 33.3 percent of two-year private colleges, and four-year public institutions have the lowest percentage (59.7) of published job descriptions for editors. In addition, fewer two-year advisers at public and private colleges, 37.8 percent and 16.7 percent, respectively, have written job descriptions than other advisers (Appendix P). In general, advisers with fewer courses in journalism have a lower percentage of stylebooks, editorial/staff policies and job descriptions for editors. In addition, advisers with fewer than five courses in journalism have very few journalism courses as a prerequisite for staff positions (Appendix Q).

Personal Comments of Advisers

Even though the Student Publications Advising Survey was not designed to solicit open-ended comments by respondents, many advisers wrote notes at the end and placed various comments next to some of the questions. These remarks provide additional substance to the Opinion Profile, particularly as they relate to advising philosophies. One West Coast adviser summed up the substance of his job:

I believe strongly that students will learn best from their own mistakes; that an adviser who corrects all the errors before the paper goes to press is doing the student a disservice. If an adviser does not allow students to make errors the paper then becomes, in essence, the adviser's paper. I also advocate, and practice, extensive post publication review—usually spending nearly two hours in detailed comment and discussion of each week's product.

A Pennsylvania adviser agreed, stating that he often expressed his opinion on matters, but never said, "You can't



print that." He continued that he tried to "put things into perspective for students and help them to see and consider things they have not seen or considered." He concluded, "I believe in advising, not controlling. Students need freedom to make mistakes of all kinds. On occasion I strongly recommend or advise, but that is it!" Another discussed the liaison function of advising: "My job is to advise and cushion shock between the student press and the community it serves." She said the best way to do that is to "Train 'em and trust 'em," and if that doesn't work, "advise them and protect them when they're guiltless."

Most advisers who commented spoke about censorship and the reading of copy prior to publication. A Michigan adviser' said he has an agreement with his editors that "prior to publication I will help with any story they bring to me-after publication I can tear the paper apart." He continued that he has offered an option to all editors that he will "look over camera-ready copy to avoid libel if they want. They have never turned this option down...and they don't consider me a censor." Another Michigan adviser agreed that the adviser "should read copy prior to publication if an editor or reporter asks him to," and added that if the adviser "detects errors in fact, spelling, identification, etc., these should be pointed out to the editor. The editor will make changes."

One adviser talked about the adviser as educator:

Although I do not, as a habit, review copy,
this doesn't mean I never work with stories



before they are in the paper. When I do, however, the role is in trying to help a student over rough spots, reading a story and suggesting improvements, checking controversial articles for balance. I always leave the final draft to the student.

Another added that she only "deliberately" checks copy if she "knows the story may be controversial to be sure we have handled it well. I see a great deal of copy when students ask for help or my opinion." One summed up the educational function by saying, "I give them understanding, encouragement, spirit (and Hell--if they don't get things done!)."

Several advisers discussed their role as co-workers with the staff. One said he works in the office with the students and has even "set type in the typesetter's absence." He stated that it is "impossible not to read copy when a staff member asks me to assist with a headline, etc.," and added that he does not believe "in waiting until a paper comes out to talk with editors and reporters about writing style (not content)." A Georgia adviser said she works "side-by-side with my kids...our relationship is one of experienced colleague with less experienced colleagues. I train 'em right; they carry on in fine tradition." Another summed it up by saying that advisers who work closely with their staffs "sometimes become part of the staff," and added, "I'm not wholly convinced that all changes by an adviser are censorship."

Many advisers commented on changes in copy. One stated, "I don't change; I advise. The decision is the students'.

It's my job to keep the informed decision at their disposal."

Another said that there is "no attempt to censor or restrict editorial comment." A Georgia adviser asserted that no copy is pre-read: "We have an unwritten understanding of limits and talk when it's close." One Pennsylvania respondent advised including in a statement of policy "that changes may be made to conform to style, space and good taste." Most commented that they considered changing a typographical error or spelling or a factual inaccuracy advising and not censorship.

with regard to the president asking that copy be read; one southern adviser commented that if the administrator "hired and can fire him," the adviser should read the copy, "if he wants to keep his job." Another asserted, "Yes, he's the big boss!" An adviser at a religious university stated, "Some of these questions are more loaded than Great Grandpa's musket! We at... are a ministry first, a university second." His other answers strongly reflected control and prior restraint, which might be expected since freedom of the press for private colleges and universities has, as yet, no precedent in the courts.

CHAPTER V

INTERPRETATION, CONCLUSIONS AND RECOMMENDATIONS

Interpretation of Results

With 45.7 percent of student publications advisers stating that advisers should usually or always read copy prior to publication, and with 50.2 percent of these same individuals stating that they do indeed read copy or advertising prior to publication, it is obvious the nation's student publications are experiencing prior restraint. Yet almost 200 years ago, when the Bill of Rights to the Constitution was ratified, early statesmen guaranteed freedom of the press in the 45 sacred words known as the First Amendment. They realized that a free and vigorous press was necessary to safeguard all other basic rights in a free society. They thus ensured the right of all Americans to hear diverse opinions and to provide for the free expression of ideas on all sides of any public issue. this right also applies to the student press has been reinforced by the courts over the past decade and a half: have established that college and university student publications have the right to print without fear of censorship or threat of prior restraint. It is therefore the duty of the adviser to student publications to ensure the vigorous and free exercise of that right in his own individual situation.

In his 1968 study conducted by the Columbia University Graduate School of Journalism, Mencher reported that one-third



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of college and university student publications advisers read copy prior to publication. In his 1974 study, that percentage shad increased to two-thirds of the advisers who admitted reading copy. The results of the Student Publications Advising Survey reveal that 50.2 percent, or one-half of all advisers, usually or always read copy. The percentage of those exercising prior restraint has declined, but the number is still disturbingly substantial. When compared by type of institution, Mencher reported in 1968 that one-half of the advisers at denominational schools read copy. This study illustrates that two-thirds of advisers at two-year private institutions and almost one-half (47.6 percent) of advisers at four-year -private institutions usually or always read copy. However, Mencher stated that only one of six advisers at large, statesupported institutions approves copy before printing; results of the Student Publications Advising Survey show that 36.7 percent, or one of three advisers at four-year public insti-'tutions, usually or always read copy (Appendix L). In ' addition, this study reveals that 66.7 percent of advisers at two-year public institutions, or two out of three, usually or always read copy. Both public and private two-year colleges exhibit a high degree of prior restraint.

A higher percentage of English/humanities teachers (63.4 percent) and those in public relations (52.6 percent) feel advisers should read copy prior to publication than do journalism teachers (40.8 percent) or full-time advisers (37 percent). However, the latter two percentages are still



too high in view of how strongly First Amendment rights of the student press have been upheld in the courts.

In his 1974 study, Mencher found that advisers read for obviously illegal material, obscenity and libel, and did not consider this kind of pre-publication review to be censorship. Results of the Student Publications Advising Survey reveal that 62.1 percent of all advisers do not consider changes in copy by the adviser to be censorship. In addition, 38.9 percent read proofs before the publication is printed and 41.3 percent check pictures and captions before printing. When asked if advisers should correct misspellings prior to publication, 61.9 percent say they should always or usually do so, and 62 percent feel advisers should always or usually correct factual inaccuracies. In a comment at the end of the survey, one adviser said that a faculty member "must read for bias, taste and legal problems if the publication is to be a professional one," certainly illustrating a lack of knowledge that a student publication is precisely what its name designates -- a student publication -- where the staff learns by doing, and often makes mistakes in the process. said, "Merely to correct punctuation, to change the hour of a performance, to change 'instructor' to 'associate professor' would not--in my book--constitute censorship." Still another asserted, "I only deliberately check copy if I know a story may be controversial to be sure we have handled it well."

This attitude is closely aligned to censorship. If advisers work closely with their staffs so that they, as a



matter of course, see copy while working with the students, they must resist the obvious urge, because of their greater experience, to make corrections, to rewrite or to change copy. They must, instead, clearly suggest to editors that accuracy needs to be ensured, or facts checked further, but they themselves, as advisers, must realize the closeness of reior review to prior restraint and censorship. Suggestions can and should be made to editors if the adviser is truly doing his job, but editors have the final decision, and suggestions cannot be enforced without infringement upon First Amendment rights. Therefore, the adviser who points out errors, or discusses alternatives in style, or who helps when a student has a problem with a story, is doing his job as an adviser and as an educator, as long as he suggests and does not attempt to enforce or control.

Advisers who have taken nine or more courses in journalism read proofs (35.7 percent) or check pictures or captions
before publication (40.8 percent) less frequently than those
who have taken one or two curses; of the latter, 60 percent
read proofs and 64 percent check pictures and captions.

Training in journalism or communications does make some
difference in prior review issues.

Lack of knowledge about the First Amendment and what it means is wide-spread among the American public. A special Gallup Poll conducted for the First Amendment Congress, sponsored by 12 major national press organizations in Philadelphia in January 1980, reveals that 76 percent of Americans

do not know what the First Amendment is. Of those with college educations answering the questionnaire, 58 percent profess ignorance of its issues. It is quite clear that there is a serious lack of comprehension in this country of the importance of the constitutional values of the First Amendment. The late Justice William O. Douglas, long a champion of the public's freedom of expression, said in The Quill in 1976:

The purpose of the freedom of speech and freedom of the press clauses in the First Amendment is not merely to enlighten or comfort people, but to offer challenging and provocative and annoying ideas as well (p. 9).

This concept must be understood and practiced by those who work with the college and university student press. Not only must the adviser as educator be foremost in guiding students in journalistic skills, but the adviser as journalist must be equally emphasized, for First Amendment concepts and court decisions upholding the freedom of the student press are of fundamental importance to student publications and their staffs. Both journalistic knowledge and teaching competence must be of the highest quality, as must the adviser's function as a liaison with the administration for an understanding by institutional officials of First Amendment privileges and rights of students.

In addition to the adviser as educator and the adviser as journalist, there must be a provision in today's student publications advising standards for a definition of the adviser as professional manager. Results of the Student Publications Advising Survey reveal that 81.9 percent of

respondents advise business; 77.9 percent, production; and 71.7 percent, advertising. All of these areas are duties of the publications manager. Increasingly, student publications advisers are being given responsibility for the total fiscal stability of the publication and for its technological and other production capabilities, as well as for the editorial side. An adequate and stable financial basis is a prerequisite for the free and effective functioning of the student press, and it is the responsibility of the adviser as pro-. fessional manager to work with the staff to ensure strong business and advertising policies and firm accounting Fiscal and managerial stability more effectively practices. enable the student press to function with freedom from outside pressures and with a greater guarantee of being able to exercise First Amendment rights. Thus the student publications adviser should also acquire a background in relevant business areas, including accounting, management, marketing and advertising.

The statistics secured in the Student Publications

Advising Survey illustrate that the student press is experiencing a significant degree of prior restraint. This means that advisers, and in many cases their administrators, are unaware of the real meaning of freedom of the press as guaranteed under the First Amendment and reinforced by district courts and the Supreme Court of the United States. A strong educational program dealing with these issues as they relate to advisers and to administrators is called for at this time.



Conclusions and Recommendations

The fact that 55.4 percent of student publications advisers, more than half, do not have written job descriptions is disturbing because it is this type of document that defines the responsibility of the adviser as it relates to the student publication and as it also relates to the administration and the institution. A written job description or an appropriate set of quidelines protects the student press from censorship, protects the adviser from administrative pressures to censor the publication and defines the relationship between the administration and the student publication. The adviser must function as a liaison with the administration for an understanding of the ethics and responsibilities of a free press and of student publications. In this role, he must ensure full communication of administrative policy to student editors as well as communication to administrators of the First Amendment rights of students to print without censorship or prior restraint, and the duty of the institution to therefore allow full and vigorous freedom of expression. principles. must be formulated into a written job description for advisers or delineated in a set of guidelines for advisers which will reinforce the adviser's role as an adviser and reaffirm the freedom of the student press as guaranteed by the First Amendment to the Constitution.

It is obvious from the data in this study that advisers as well as administrators need to be educated about the professional standards for student publications advisers



as educators, journalists and professional managers. In 1974, the National Council of College Publications Advisers approved a Code of Professional Standards for Advisers written by a committee chaired by Lillian Lodge Kopenhaver. The code was disseminated to all advisers and college and university presidents nationally. Mencher's 1974 study reported that two-thirds of advisers read copy prior to publication. The data in this study illustrate that one-half of the advisers responding do so. There has been some progress over those six years.

However, in the period of time between those two studies, the responsibilities of the adviser lave increased significantly. More cases involving the student press are going to the courts and advisers need more educational background on the First Amendment and the court decisions affirming legal decisions that relate to student publications. In addition, student publications have increased in financial volume and in circulation, with total budgets projected at \$120 million this year. The role of the adviser as professional manager of student publications is a realistic and necessary addition to the defined roles as educator and journalist currently in the NCCPA code. With the advent of the new technology in this period of time, and with student publications more frequently ascertaining that securing their own production equipment is cost-effective and enhances their ability to make more money and control their circumstances for free expression, the publications manager position becomes increasungly important.

a number of areas, and should have substantial additions on First Amendment rights of the student press, managerial capacities of advisers and training for advisers in areas appropriate to the management function. The 1974 code deals on a limited basis with First Amendment rights and how they are guaranteed to the student press. In fact, the First Amendment is not mentioned at all by designation in the code. The 1980 Gallup Poll, in stating that 76 percent of all Americans do not know that the First Amendment is, illustrates the necessity of conducting an on-going educational campaign to increase the awareness of free press principles. The revised NCCPA code must therefore have a preamble as follows:

The First Amendment to the Constitution established freedom of the press as an inherent right of the public. Those First Amendment rights are also guaran teed to college and university student publications and their staffs. The right of student journalists to print ithout fear of censorship or threat of prior restraint has been affirmed in the courts. It is the duty of student publications advisers to ensure the vigorous and free exercise of the First Amendment rights of the student press in their own individual situations.

The First Amendment serves a vital role within the definition of the ethics of the adviser as professional journalist. Therefore, the responsibility of the adviser in this context should be delineated as follows in the evised code:

As his counterpart in the profession, the student journalist should be as free as other citizens to probe every facet of



his campus community, his nation and his world without fear of reprisal.

The adviser should be able to, in this context, lead him to a full knowledge and understanding of the ethics, and, most importantly, the responsibilities of the profession of journalism. The adviser should, therefore, fully understand the nature and function of contemporary journalism and all recent court cases upholding First and Fourteenth Amendment rights of student journalists.

Those court cases which have defined the legal responsibilities of the student press must be affirmed in any set of standards and can be stated as follows:

The student press should be viewed as a training ground for the profession. Therefore, student journalists, as the professional press, must be free to exercise their craft under First Amendment guarantees with no restraining expond the limitations of ethical and legal responsibilities in matters of libel, obscenity and invasion of privacy.

In addition, the First Amendment must be fully defined in discussing the relationship between the adviser and the staff of the student publication, on the one hand, and the adviser and the administration, on the other:

The adviser functions as a liaison with the administration for an understanding of the ethics and responsibilities of a free press and of student publications. In this role, he must ensure full communication of administrative policy to student editors as well as communication to administrators of the First Amendment rights of students to print without prior restraint and the duty of the institution to therefore allow full and vigorous freedom of expression.

on two levels, first, as the professional journalist, and, second, as the professional educator. It is very obvious that the adviser must also be defined as the professional manager as follows:

Increasingly, student publications advisers are fulfilling roles as publications managers, responsible for both. the total fiscal stability of the publication and for its technological and other production capabilities, as well as for the editorial side. An adequate and stable financial base iš a prerequisite for the free and effective functioning of the student press, and it is the responsibility of the adviser as manager to work with the staff to ensure strong business and advertising policies and firm accounting practices. Student publications staffs are increasingly finding that adding their own production equipment is cost-effective and enhances their abilities for free expression by controlling what they do and when they do it. The adviser as manager should have or obtain a background in modern technology and its capabilities as well as in business and management. Fiscal and managerial stability more effectively enable the student press to function with freedom from outside pressures and with a greater quarantee of being able to exercise First Amendment rights.

In accordance with this growing role for advisers to today's student publications, certain recommendations as to educational background must be added to any set of professional standards for advisers:

In addition, if the adviser has any responsibility for the production capabilities or financial base of the publication, he should have or acquire a background in relevant business areas, including accounting, marketing, management, advertising and systems production.



This NCCPA Code of Professional Standards for Advisers, Revised 1980 (Appendix R), following approval by the NCCPA Board of Directors at its upcoming 1980 meeting, must first be sent to all advisers who are NCCPA members, and who are those who responded to the Student Publications Advising Survey upon which the code is based. An educational campaign must then be carried out for the broadest possible dissemination of the code to both advisers to student publication's and to the administrators who deal with student publications on the nation's college and university campuses. This campaign can be carried out on two levels. The first should be a mailout to all college and university presidents in the United States, enclosing a copy of the code with a cover le der from the president of the National Council of College Publications Advisers stressing the need for that individual institution to adopt the code in its dealings with student publications advisers and with the student press. In addition, if the institution is in the process of hiring a new adviser, the administrator can be asked to apply the educational and professional standards in the hiring process.

The Code of Professional Standards for Advisers must, secondly, be advertised as available free of charge through professional publications to any individuals desiring a copy. All colleges and universities teaching courses in the training of student publications advisers should be contacted to let them know the code is available to be used in their programs. Any listing of services of the organization should include



the availability of the code, and the news bureau of NCCPA must advertise the code, publicizing its main tenets and what the standards mean to freedom of the student press and to the continued guarantee of First Amendment rights to all citizens.

Thus the development of a new Code of Professional Standards for Advisers, revised in accordance with the role, and practices of the student publications adviser in 1980, should facilitate a broader awareness of the adviser and his responsibilities. In addition, it should also remind those connected in any way with the student press on the nation's college and university campuses that the First Amendment guarantees free and vigorous expression to the student press and ensures that the student journalist shall be as free as -ther citizens to prove every facet of his campus community, his nation and his world without fear of reprisal. serves as a reminder to the adviser of his responsibilities as they relate to the student press--that he is an adviser, not an editor or censor. The code also serves to remind administrators of that same fact, and to reiterate that student journalists are protected by both the First and Fourteenth Amendments, and that their free expression has been constitutionally quaranteed by the First Amendment and subsequently upheld by the Supreme Court of the United States.



BIBLIOGRAPHY

ERIC FOUNDED BY ERIC

- "ACLU enters Illinois press fight." CCJA Newsletter, X (Spring-Summer, 1979), 3.
- Adams, John B. "Guidelines for the Student Press: The View from Chapel Hill," Syllabus, I (Summer, 1971), 6-8.
- American Bar Association, Commission on Campus Government and Student Dissent. Report of the American Bar Association Commission on Campus Covernment and Student Dissent. Chicago: American Bar Association, 1970.
- Arnold, Edmund C. and Hillier Krieghbaum. Handbook of Student Journalism. New York: New York University Press, 1976.
- Bagdikian, Ben H. "The First Amendment: The Child in Jeopardy," The Quill, LXIV (September, 1976), 33-35.
- Blackwell, Thomas Edward. College Law: A Guide for Administrators. Washington, D.C.: American Council on Education, 1961.
- Brock, Ben. "Student Publications and the School Administration," The CSPAA Bulletin, XXI (March, 1964), 17-22.
- Burken, Judith. "Organizing the Madhouse--on the Junior College Level," <u>SE Graphics/Communications</u>, LIV (October, 1974), 11-14.
- Cardwell, Richard W. "The Law and the Student Press,"
 The Collegiate Journalist, VI (Fall, 1968), 6-7.
- Claypool, Forrest. "Forum Theory: Why Administrators
 Are Not the 'Publisher'," Student Press Law Center
 Report, II (Fall, 1979), 43-47.
- Click, J. W. "A Codification of Principles of Advising Secondary School Student Publications." A paper presented before the Association for Education in Journalism Convention, Carleton University, Ottawa, Canada, August, 1975.
- "Code of Ethics." National Council of College Publications Advisers. Indiana State University, Terre Haute, Indiana, 1961.

- "Code of Ethics." The Society of Professional Journalists, Sigma Delta Chi. Chicago, Illinois, 1973.
- "Code of Professional Standards for Advisers." National Council of College Publications Advisers. Indiana State University, Terre Haute, Indiana, 1974.
- Cooney, John E. "College Papers Are Big Businesses Now-Headaches and All," <u>The Wall Street Journal</u>,
 Eastern edition, February 28, 1977, 1, 16.
- Danner, David. "Students need not apply," Student Press Law Center Report, II (Spring, 1979), 35-39.
- Deaver, Frank. "Freedoms and Responsibilities of the Junior College Newspaper," <u>Journalism Quarterly</u>, XLV (Autumn, 1968), 549-551, 596.
- Denniston, Lyle. "Without a Champion," The Quill, LXVI (September, 1978), 23-26.
- DeSanto, R. John. "Stay Out of the Kitchen If You Can't Stand the Heat," College Press Review, XII (Fall, 1972), 19-21.
- Devol, Kenneth. "Freedom for California Dailies Considered Vital," College Press Review, VII (Spring, 1967), 3, 11-12.
- Devol, Kenneth. "Libel and the Student Press," The Collegiate Journalist, III (Winter, 1966), 10, 12.
- Devol, Kenneth. "Obscenity: Boon or Bust?," College Press Review, XIV (Winter, 1974), 2-9.
- Douglas, William O. "The First Amendment: Introduction," The Quill, LXIV (September, 1976), 6-10.
- Downs, J. William. "Whipping Boy: Battle Strategies for Adviser Survival," <u>Student Press Law Center Report</u>, II (Fall, 1979), 21-23.
- Duscha, Julius and Thomas C. Fischer. The Campus Press:

 Freedom and Responsibility. Washington, D.C.:

 American Association of State Colleges and Universities, 1973.
- Estrin, Herman A. "Justifying your existence--on the college level," <u>SE Graphics/Communications</u>, LIV (October, 1974), 15-16.
- Estrin, Herman A. and Arthur M. Sanderson, eds. <u>Freedom</u>
 and <u>Censorship of the College Press</u>. <u>Dubuque</u>,
 Towa: Wm. C. Brown Company Publishers, 1966.

- Ewbank, J. L. "Who's in Charge?," AAUP Bulletin, LV (Winter, 1969), 455-457.
- Fager, Christopher B. "Ownership and Control of the Student Press: A First Amendment Analysis." A paper presented to the Association for Education in: Journalism Convention, University of Maryland, August, 1976.
- Fager, Christopher B. and Jill Abeshouse. "Ownership and Control of the Student Press," Community College Journalist, V (Fall, 1976), 9-11, 20.
- Fairbanks, Merwin G. "Utah Attorney General delimits. student editor, adviser powers," <u>Journalism</u>
 Educator, XXVIII (July, 1973), 46-47.
- Gerald, J. Edward. "The First Amendment: Born of Struggle," The Quill, LXIV (September, 1976), 11-14.
- Gibbs, Annette. "Guidelines for the Chief Student Personnel Administrator in Implementing Editorial Policies Related to Freedom of Expression in Sanctioned Student Newspapers of State Colleges." Unpublished Ph.D. dissertation, The Florida State University, 1970.
- Gibbs, Annette. "Ten Guidelines for Deans and a Free Student Press," Syllabus, I (Winter, 1970-71), 5-8.
- Gibbs, Annette. "The Student Press: Institutional Prerogatives Versus Individual Rights," Journal of College Student Personnel, XIX (January, 1978), 16-20.
- Gillmor, Donald M. and Jerome A. Barron. <u>Mass Communication</u>
 Lev. St. Paul, Minnesota: West Publishing Co.,

 1.).
- Goodwin, Alfred T. and Lynn Taylor. "Courts and the Media; Freedom of the Press on Trial," <u>Today's Education</u>, LXIX (February-March, 1980), 4-9.
- Grant, Mariam R. "Adviser or Censor--which is your role,"

 The School Press Review, XLVII (October, 1971),

 3,.5.
- Green, Nancy L. "Adviser--Not Editor," The School Press Review, XLVII (January, 1971), 5, 9.
- Hentoff, Nat. "Police! Open in the Name of the Supreme Court!," Student Press Law Center Report, VIII (Fall, 1978), 12-15.

- Hiebert, Ray, Donald F. Ungurait and Thomas W. Bohn. Mass Media: An Introduction to Modern Communication. New York: David McKay Company, Inc., 1974.
- Hook, Stephen C. "Staff manual helps reduce newspaper mismanagement," <u>Journalism Educator</u>, XXIX (July, 1974), 38-42.
- Hotchkiss, Courtlyn W. and Dennis L. Madson. "A New Look at the Campus Press and the Law," naspa Journal, XV (Spring, 1978), 27-31.
- Ingelhart, Louis E. "1979: The Campus Student Press in America," College Press Review, XVIII (Summer, 1979), 49-63.
- Ingelhart, Louis E: The College and University Campus

 Student Press. Muncie, Indiana: National Council
 of College Publications Advisers, 1973.
- Joint Statement on Rights and Freedoms of Students. Joint Drafting Committee chaired by the American Association of University Professors, Washington, D.C., 1967.
- Kahl, Mary. "Walking the adviser's legal tightrope," College Press Review, XV (Fall, 1975), 26-29.
- Kaye, Richard. "Obscenity: A Practical Guide for the Student Journalist," Student Press Law Center Report, VII (Spring, 1978), 14-20.
- Kleine, Glen. "A Brief History: The Student Press in America," <u>Directory of the College Student Press in America</u>, ed. Dario Politella. New York: .

 Oxbridge Communications, Inc., 1978.
- Koltai, Leslie. "A free press hinges on a free society,"
 Community College Journalist, VI (Fall, 1977), 31.
- Kopenhaver, Lillian Lodge and J. William Click. Ethics and Responsibilities of Advising College Student Publications. Athens, Ohio: NCCPA Publications, 1978.
- Lang, Pete. "Sitting on a bomb: the euphemistic hobgoblin 'Good taste'," Community College Journalist, V (Fall, 1976), 27-29.
- 'Lang, Peter C. "When Should an Adviser Say No?," College Press Review, XI (Winter, 1972), 13-14.
- LeBaron, Walt. "The Adviser and Censorship: How Free is The School Press?," The CSPAA Bulletin, XXII (March, 1965), 9-13.

- Letwin, Leon. "Regulation of Underground Newspapers on Public School Campuses in California," <u>UCLA Law</u> Review, XXII (1974), 141-225.
- Mack, Warren A. "New President Criticizes Burken's 'Madhouse" Article, "Community College Journalist, IV (Fall, 1975), 24-25.
- Mack, Warren. "Purge at West Valley," Community College Journalist, VI (Fall, 1977), 4, 7-9.
- Martinson, David L. "Wake up those college administrators,"
 College Press Review, XV (Fall, 1975), 20-21.
- Martinson, Dávid and Debra Minick, "Future advisers react,"

 <u>College Préss Review</u>, XVII (Spring, 1978), 30-31.
- Mellits, Mindy S. "Substantial Disruption: The Tinker Standard Explained," <u>Student Press Law Center Report</u>, II (Wirter, 1978-79), 20-23, 35.
- Mencher, Melvin. "A Stranger in a Foreign Land: The Administrator and the College Press," College Press Review, IX (Fall, 1969), 14-21.
- Mencher, Melvin. "Dangerous Precedent," College Press Review, XV (Summer, 1976), 4-7%
- Mencher, Melvin. "Killing the Campus Press," College Press Review, XIII (Autumn, 1973), 16-20.
- Mencher, Melvin. "Needed: A New Dialogue with New Participants," <u>The School Press Review</u>, XLV (January, 1969), ;7, 16.
- Mencher, Melvin. "The Adviser: Man in the Middle,"

 <u>College Press Review</u>, VIII (Winter, 1968), 8-12.
- Mencher, Melvin. "The Adviser: some changes for the better, some for the worse," <u>College Press Review</u>, XIII (Spring, 1974), 2-8.
- Metzer, Charles M. "Judge Says, Students Must Be Heard,"
 Syllabus, I (Winter; 1970-71), 8-10.
- Moudry, Mary. "The Worst Censorship," College Press Réview, IX (Fall, 1969), 9-10.
- Nelson, Harold L. and Dwight L. Teeter, Jr. Law of Mass Communications. Mineola, New York: The Foundation Press, Inc., 1973.

- Nichols, John E. <u>The Tinker Case and its Interpretation</u>. Lexington, Kentucky: Association for Education in Journalism, December, 1977.
- Nolte, M. Chester and John Phillip Linn. School Law for Teachers. Danville, Illinois: The Interstate Printers and Publishers, Inc., 1963.
- Oickle, Alvin F. "Publications Advising is a Profession,"
 College Press Review, VII (Spring, 1967), 17-18, 21.
- Oliker; Michael A. "A Descriptive Definition: The College Newspaper," College Press Review, XI (Winter, 1972), 9-12.
- "Open Season on Libel Defendents." <u>Student Press Law</u> Center Report, II (Fall, 1979), 40.
- Perkins, Michael D. "Walter Cronkite and the Supreme Court," <u>Today's Education</u>, LXIX (February-March, 1980), 10-13.
- Politella, Dario. "Classic Cases of Campus Censorship," College Press Review, X (Spring, 1971), 9-13.
- Politella, Dario, ed. <u>Directory of the College Student</u>

 <u>Press in America</u>. 4th ed. New York: Oxbridge

 <u>Communications</u>, Inc., 1978.
- Politella, Dario. "Patricia Endress: Hero or?," College Press Review, XV (Summer, 1976), 9-14.
- Polk, Tobye B. "The Student's Right To Know-A School, Paper's Right to Print," The CSPAA Bulletin, XXVI (October, 1968), 7-10.
- Powell, Cheryl Riley. "Libel and censorship should not be threats; when they are, help is available," College Press Review, XVII (Winter, 1977-78), 4-11.
- Reddick, DeWitt C. The Mass Media and the School Newspaper.

 Belmont, California: Wadsworth Publishing Company,
 Inc., 1976.
- Richmond, Gordon: "Another Viewpoint," Community College Journalist, IV (Fall, 1975), 28-29.
- Roberge, Don. "Advising is a lonely job," Community College Journalist, VI (Winter, 1978), 4-7.
- Sandman, Peter M. The Legal Rights and Responsibilities of College Student Publications. Pittsburgh, Pennsylvania: Pi Delta Epsilon, 1969.

- Schore, G. Robin. "Adrift on a sea of censors," Community College Journalist, V (Winter, 1977), 23-24.
- Simpson, Michael D. "Advertising: Is Commercialism Protected by the First Amendment?," Student Press Law Center Report, VIII (Fall, 1978), 17-19, 21.
- Simpson, Michael D. "Constitutional Standards for Student Publication Guidelines," Student Press Law Center Report, II (Winter, 1978-79), 30-32.
- Simpson, Michael D. "What About the Student Press?,"

 Today's Education, LXIX (February-March, 1980),

 14-17.
- "Sixteen ways to protect against libel." Editor and Publisher, CXII (December 29, 1979), 66.
- "SPLC Model Guidelines for Student Publications," Student Press Law Center Report, II (Winter, 1978-79), 33-34.
- Standley, Barry. "Student Publications and Libel," National On ampus Report (February, 1975), 5.
 - Stevens, George E. "Faculty Tort Liability for Libelous Student Publications," <u>Journal of Law and Education</u>, V (July, 1976), 307-316.
 - Stevens, George E. and John B. Webster. Law and the Student.

 Press. Ames, Iowa: The Iowa State University Press,

 1973.
 - "The New Breed Behind the Campus Press." Nutshell, I (Winter, 1979-80), 68-72.
 - Tidwell, James. "Triumph in Tulsa," Community College
 Journalist, VI (Fall, 1977), 5-7.
 - Trager, Robert. "The college president is not Eugene C. Pulliam: student publications in a new light,"

 <u>College Press Review</u>, XIV (Spring, 1975), 2-5.
 - Trager, Robert and Donna L. Dickerson. College Student
 Press Law. Athens, Ohio: NCCPA Publications, 1979.
 - U.S. Constitution: Amendment I (1791), Amendment XIV (1868)
 - Walden, John C. "The Student Press: Law and the School Principal," National Elementary Principal, LIII (March-April, 1974), 69-71.
 - Ward, Louanne. "Publications: Turn On Or Put On?," The School Press Review, XLVI (October, 1970), 5-6.

- Wheeler, John. "On Rights and Responsibilities of Today's Student Editors," The CSPAA Bulletin, XXXV (Winter, 1977-78), 6-9.
- "Who Owns the Campus Paper?" Syllabus, I (Summer, 1971), 3-5.
- Williamson, E. G. and John L. Cowan. <u>The American Student's</u>
 <u>Freedom of Expression</u>. Minneapolis, Minnesota:
 The University of Minnesota Press, 1966.
- Zampano, Robert C. "Student Newspapers Are To Be Encouraged, Not Suppressed," Syllabus, I (Summer, 1971), 11-13.
- Zimmerman, Errol. "Rights vs. Rules," College Press Review, XVII (Spring, 1973), 12-13,

List of Cases

- Antonelli v. Hammond, 308 F. Supp. 1329 (D. Mass. 1970)
- Baughman v. Freienmuth, 478 F. 2d 1345 (4th Cir. 1973)
- Bazaar v. Fortune, 489; F. 2d 225 (5th Cir. 1973), cert. denied, 416 U.S. 995 (1974).
- Brandenburg v. Ohio, 395 U.S. 444 (1969) (per curiam).
- Byars v. Kolodziej, 363 N.E. 2d 628 (App. Ct. Ill. 1977).
- Channing Club v. Texas Tech University, 317 F. Supp. 688 (N.D. Tex. 1971).
- Dickey v. Alabama State Board of Education, 273 F. Supp. 613 (M.D. Ala. 1967), dismissed as moot sub. nom. Troy State University v. Dickey, 402 F. 2d. 515 (5th Cir. 1968).
- Dixon v. Alabama State Board of Education, 294 F. 2d. 150 (5th Cir. 1961), cert. denied, 368 U.S. 930 (1961).
- Fujishima v. Board of Education, 460 F. 2d 1355 (7th Cir. 1972).
- Gertz v. Robert Welch, Inc., 418 U.S. 323 (1974).
- Joyner v. Whiting, 477 F. 2d 456 (4th Cir. 1973).
- Klahr v. Winterble, 418 P. 2d 404 (Ariz. 1966).

Langford v. Vanderbilt University, 318 S.W. 2d. 568 (Tenn. 1958).

Miller v. California, 413 U.S. 15 (1973).

Near v. Minnesota, 283 U.S. 697 (1931).

New York Times Co. v. Sullivan, 376 U.S. 254 (1964).

Papish v. University of Missouri Board of Curators, 331 F. Supp. 1321 (W.E. Mo. 1971), aff'd, 464 F. 2d 136 (8th Cir. 1972), rev'd, 410 U.S. 667 (1973).

Reaves v. Foster, 200 So. 2d 453.(Miss. 1967).

Roth v. United States, 354 U.S. 476 (1957).

Schiff.v. Williams, 519 F. 2d 257 (5th Cir. 1975).

Scoville v. Board of Education, 425 F. 2d 10 (7th Cir. 1970).

Speake v. Grantham, 317 F. Supp. 1253 (S.D. Miss 1970), aff'd, 440 F. 2d 1351 (5th Cir. 1971) (per curiam).

Sweezy v. State of New Hampshire, 354 U.S. 234 (1957).

Terminiello v. Chicago, 337 U.S. 1 (1949).

Time, Inc. W Firestone, 424 U.S. 448 (1976).

Tinker v. Des Moines Independent Community School District, 393 U.S. 503 (1969).

Trujullo v. Love, 322 F. Supp. 1266 (D. Colo. 1971).

Vail v. Board of Education, 354 F. Supp. 592 (D.N.H. 1973).

Wooster v. Sunderland, 27 Cal. App. 51; 148 P. 959 (1st Dist. 1915).

APPENDIX A COVER LETTER FOR PANEL OF EXPERTS.

TER FOR PANEL OF EXPERTS 120

mational comcil:

of college publications advisers

PRESIDENT: Lillian Lodge Kopenhaver, Florida International University, Miami, FL 33199
VICE PRESIDENT: Shirley Quate, IUPUI, 975 West Michigan, Ind. anapolis, IN 46202
VICE PRESIDENT FOR DISTRICT AFFAIRS Nancy L. Green, University of Kentucky, Lexington, KY 40506
EXECUTIVE DIRECTOR Dr. John A. Boyd, 1MU-360, Indiana State University, Terra Haute, IN 47809

August 7, 1979

Richard Sublette Illini Publishing Co. 620 E. John Champaign, 11 61820

Dear Dick:

Enclosed is a final draft of the Student Publications Advising Survey which will be sent to all NCCPA members.

The purpose of the survey is twofold: first, to provide a profile of college and university student publications advisers, and, second, to ascertain the role and practices of the adviser. The final result will be to develop an up-to-date set of recommended guidelines for professional standards for the adviser.

Please rate each question on a scale of one to five as to whether or not it will contribute to the purposes of the study. Place the number you select in the margin in front of each question. If your rating is less than four for any question, either edit the question or state why you have rated it thus.

Please return your comments to me by August 20 or earlier if possible. Thank you in advance for helping me on this most important project.

Sincerely,

Lillian Lodge Kopenhaver President



APPENDIX B

RATINGS OF SURVEY QUESTIONS BY PANEL OF EXPERTS

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	red:	omitted,	none	none	none .	none	none	none	revised	revised	none	none	, none	none	revised.	none	none	revised	revised	revised -	revised	revised	revised 🌂	sed	none .	" none	nora	O.	none		none	revised	none	none	revised	none.	none	revised ,	revised	none	Action Taken



COUNCIL DE COLLEGE PUBLICATIONS

national council of college publications advisers

PRESIDENT Lithan Lodge Kopenhaver, Florida International University, Miami, FL 33199

August 27, 1979

Dear Adviser Colleague:

Research on the current role and practices of college and university student publications advisers is relatively scarce. This fact is a disadvantage to national professional organizations like NCCPA working to aid you, the adviser, in your own particular situation, and striving to set equitable national standards.

NCCPA has therefore designed the enclosed survey to seek answers to questions important to assessing the role and practices of the student publications adviser. As a result of the findings, guidelines for professional standards for advisers will be prepared and disseminated by NCCPA to advisers and administrators to serve as standards for those involved in or with student publications advising. The first part of the survey is designed to secure a profile of advisers and the second to secure a consensus of opinion on advising practices and issues.

Take the time <u>now</u> to answer all questions honestly and completely. Answers will be kept confidential, so please sign the survey, or indicate your school, so we can ensure a high percentage of returns. Your answers will aid college and university student publications advisers and provide a basis for the recommendation of standards and further study by NCCPA.

Please fill out the survey as soon as you receive it and return to me in the enclosed self-addressed stamped envelope by September 20, if not before. If you have any questions, feel free to call me at 305-552-2231.

Thank you for your cooperation. College and university student publications advisers on all levels will benefit.

Sincerely,

Lillian Lodge Kopenhaver

President

APPENDIX D

STUDENT PUBLICATIONS ADVISING SURVEY

Name	·
Inst	itution
poss	ase answer each of the following questions as completely and honestly as sible to ensure that we may secure the most complete profile possible of ay's adviser. SER PROFILE
	
1.	Type of Institution 2-year public 2-year private upper division 4-year public 4-year private
2.	Head count enrollment
3.	Media advised (please check all that apply) Newspaper Pressrum Aver. no. of pages Size: tabloid full Gaily weekly monthly other
	Yearbook page size
	Magazine - issues per year general content
	Radio AM broadcast FM broadcast other
	Televisionlicensed broadcastclosed circuit
•	Other (specify)
4.	Advising responsibility (please check all that apply) business editorial advertising other (specify) production photo engineering
5.	Approximate hours per week spent in advising
6.	Main teaching or administrative area English or humanities public relations social sciences journalism natural sciences communications full-time adviser student affairs full-time administrative other (specify)



7.	Reason for becoming an adviser personal choice appointed by administrator selected by staff hired by publishing board
8.	Iducational background (check highest degree attained)
÷9.	Number of courses taken in journalism/communications none 3-4 7-8 1-2 5-6 more than 9
10.	Your sex male female
11.	Your age under 25 36-45 over 56 46-55
12.	Years of advising experience
13.	Years and type of professional journalism experience (outside of campus) 1 6-7 magazine freelance 2-3 8-9 broadcast other 10 or more newspaper
14.	Are you paid for advising?yesno
15.	Is pay regular salary overload compensation other (specify)
16.	10%
17.	Indicate the professional organizations of which you are a member (please check all that apply)
•	SPJ, SDX CNBAM AAF PRSA AEJ NPPA SCJ NASPA IDP ADS WICI ANPA INAE ACP APGA NCTE INPA NAB CSPAA NCCPA CCJA WAUPM KTA state collège press association other (specify) state press association
18.	To whom do you report as an adviser? publishing boardacademic unitstudent union boardadministratortrusteesstudent governmentother (specify)
19.	Are you the only student rublications adviser on your campus? yes no lf no, how many others?



20.	college work-study salary other (specify) hourly wage stipend/grant-in-aid none
-	
<u> 0P I 1</u>	HIDN PROFILE
21.	Should an adviser read copy prior to publication? always usually seldom never
Ż2.	Should the adviser correct misspellings that students make in their copy? alwaysusuallyseldomnever
23.	Should the adviser correct factual inaccuracies in student copy before publication? alwaysusuallyseldomnever
24.	Do you read copy or advertising before it is printed?alwaysusual.yseldomnever
25.	If the president or other administrator asks that copy be read prior to publication, should the adviser do so?
26.	Do you believe that students should have full control over all editorial content in the publication?
27.	Do you conduct training sessions for your staff?yesno when?
28.	Do you find that your advising role puts you in a conflict of interest in other job duties? yes no
29.	Does the administration regulate the time and place of distribution of your publication?
30.	May the president of the institution fire an editor?
31.	Are changes in a story by the editor considered censorship?
32.	Are you required to read copy before it is printed? yes no
33.	Do you consider changes in a story by the adviser to be censorship?



	yes no
35. .	Po you have a stylebook for your publication? yes no
36.	Do you have an editorial policy/staff manual for your publication?
37.	Do you have published job descriptions for editors?
38.	Do you, as an adviser, have a written job description? yes no
39.	Are any journalism courses a prerequisite for joining the publications staff?
40.	Do you read proofs before the publication is printed?
4i. *	Do you check pictures and captions before they are printed?
•	
Plea	se return survey in enclosed self-addressed, stamped envelope to:
•	Lillian Lodge Kopenhaver NCCPA President
	University Relations Florida International University Miami, Florida 33199

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*APPENDIX E

ADVISERS BY TYPE OF INSTITUTION

-	~	٧,	
Туре	N	•	Percent
2-year public	90		30.3
2-year private	. 6	•	2.0
upper division	11	•	3.7
4-year public	123	•	41.4
4-year private	. 67	,	22.6
	N=297	• •	



APPENDIX F
PROFILE OF MEDIA ADVISED BY RESPONDENTS

Media	Pressrun	No. Of Pages	Size
NEWSPAPER 255 Daily 41	under 3000 2 3001-6000 1 over 6000 38	1-4 5-8 9-12 over 12 23	tabloid 23 full 18
Weekly 132	under 3000 62 3001-6000 45 over 6000 19	1-4 5-8 9-12 over 12 23	tabloid 105 full 27
Monthly 23	. under 3000 18 3001-6000 1 over 6000 3	1-4 5-8 9-12 over 121	tabloid 22 full 1
Other 59	under 3000 49 3001-6000 20 over 6000 9	1-4 5-8 9-12 over 12 8	tabloid 50 full 7
YEARBOOK 128	under 3000 49 3001-6000 20 over 6000 22	1-160 12 161-304 48 over 304 37	

(Continued)

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APPENDIX F

PROFILE OF MEDIA ADVISED BY RESPONDENTS (CON'T)

Media	•	
MAGAZINE 68	1-4 issues 56 5-10 issues 8 over 10 issues 2	general interest 18 1iterary 33 other 11
RADIO	AM broadcast8_	FM broadcast 12 Other. 7
TV	closed circuit 5	-
DIRECTORY 4		
HANDBOOK 4		
OTHER· <u>5</u>		
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	, , , , , , , , , , , , , , , , , , ,	
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APPENDIX 6

EDUCATIONAL BACKGROUND OF ADVISERS BY TYPE OF INSTITUTION

	*		ŧ	Type of Institution							
Ed: Background	, N	Percentage	2-yr Pub	2-yr Pri	Up Div	4-yr Pub	4-yr Pri				
None	, 2	7	. 0	0.	, 0	100.0	1.0				
.Associate	3	1.0	- 0	33.3	-0	33.3	/33.3				
Bachelor's	41	13.9	31.7	2,4	7.3	39.0	19.5				
Master's	´ 189´ `	64.1	34.9	1.1	3.2	40.7	/ 20.1				
Doctorate	60-	20.3	16.7	3.3	3.3	43.3	33.3,				
,	N=295	- 1		•		•	-				

APPENDIX H
EDUCATIONAL BACKGROUND OF ADVISERS
BY SEX

Educational	,	***	1 ,	Sex	·	***
background	N -	Percentage	Male	Percent/male	Female .	Percent/female
None	, 2	.7:	1	.5	1	1.1
Associate	3 .	1.0	<u> </u>	1. C	, 1	1.1
Bachelor's	42.	14.3	29	14.6	13	13.7
Master's	187	· \$ 63.9	119	60.1	68	71:6
Doctorate	59.	20.1	47	.23:7	12	12.6
	^ N=293		. , 5 ·	· · · · · · · · · · · · · · · · · · ·		•

APPENDIX I

YEARS OF ADVISING EXPERIENCE BY TYPE OF INSTITUTION

			·	
Years of Adv.	_		Type of Institution	
Experience	N	Percentage	2-yr Pub 2-yr Pri. Up Div 4-yr Pub	4-
				_

Experience	N	Percentage	2-yr Pub	2-yr Pri	Up Div	4-yr Pub	4-yr Pr
None	7	2'. 4	28.6	٠ ٥ ر	0	57.1	14.3
1- 5	114	39.9	, 30.7	3.5	7.0	34.2	24.6
6-10	61	21.3	32.8	. 0	1.6	49.2	16.4

None	7	2'.4	28.6	٠ 0 ر	0	57.1	14.
1- 5	114	39.9	, 30.7	3.5	7.0	34.2	24.
6-10	61	21.3	32.8	. 0	1.6	49.2	16.
11-15	48	. 16.8	25.0	2.1	2.1	47.9	22.
over 15	56	19.6	33.9	0	1.8.	37.5	26.

			,				
6-10	61	21.3	32.8	. 0	1.6	49.2	16.4
11-15	48	16.8	25.0	2.1	2.1	47.9	22.9
over 15	56	19.6	33.9	, 0	1.8.	37.5	26.8
	N=286						

6-10	61	21.3	32.8	. 0	1.6	49.2	16.4
11-15	48	. 16.8	25.0	2.1	2.1	47.9	22.9
over 15	56	19.6	33.9	, 0	1.8.	37.5	26.8
	N=286	-					
						•	

139



APPENDIX J

REASON FOR BECOMING AN ADVISER BY TYPE OF INSTITUTION

, e) , e		_		,	ŧ		<u>.</u>
	-			Τỳ	pe of Inst	itution	
Reason		N	Percentage	2-yr Pub	2-yr Pri	Up Div	4-yr Pub
Personal choice		169	56.9	39.1	1.8	3.0	41.4

37.5

5.3

140 *

0

0

Appointed by administrator 31.6 20.2 94

5.4

6.4

16

N=298

Selected by

Hired by publishing board 19

staff

			•
1.8	3.0	41.4	14.8
3 2	. 2 1	38.3	36 3

0

21.1

31.3

57.9

4-yr Pri

31.3

15.8

APPENDIX K

RESPONSE TO SHOULD AN ADVISER READ COPY PRIOR TO PUBLICATION
BY TYPE OF INSTITUTION

Charle advisors	Type of Institution								
Should advisers read copy?	N .	Percentage	2-yr Pub	2-yr Pri	Up Div	4-yr Pub	4-yr Pri		
Always	53	19.1	21.2	16.7	33.3	17.2	18.2		
Usually	73	26.4	43.8	50.0	0	15.5	25.8		
Seldom	104	37.5	27.5	16.7	66.7	" 44.0	36.4		
Never	47	. 17.0	7.5	16.7	0	. 23.3	19.7		
•	n=277						,		

APPENDIX L

RESPONSE TO WHETHER OR NOT THE ADVISER READS COPY OR ADVERTISING PRIOR TO PUBLICATION BY TYPE OF INSTITUTION

-			;	Туре о	of Instit	ution		•
Do you read copy?	, . N	Percentage	2-yr Pub	2-yr Pri	Up Div	4-yr Pub	4-yr Pri	•
Always	55	19.6	28.6	16.7	50.0	11.1	19.0	
Usually	85	30.4	38.1	50.0	20.0	25.6	28.6	
Seldom	104	37.1	21.4	33.3	10.0	50.4	38.1	•
Never	36	12.9	11.9	0	20.0	12.8	14.3	
	N=280		-					

APPENDIX M

RESPONSE TO WHETHER OR NOT THE ADVISER READS COPY OR ADVERTISING PRIOR TO PUBLICATION BY YEARS OF PROFESSIONAL JOURNALISM EXPERIENCE

De won		•	Years of Professional Experi						
Do you read copy?	N	Percentage	1	2-3	4-5	6-7	8-9	10 or more	
Always	39	17.3	10.7	14.6	20.0	11.1	31.3	20.0	
Us. Ally	57	25.2	42.9	39.0	24.4	33.3	18.8	25.7	
Seldom	89	39.4	28.6	39.0	35.6	44.4	43.8	42.9	
Never	41	18.1	17.9	7.3	20.0	11.1	6.3	11.4	
	N=226								

APPENDIX N

RESPONSE TO SHOULD AN ADVISER READ COPY PRIOR TO PUBLICATION BY TEACHING OR ADMINISTRATIVE AREA

Area	'n	Percentage	Always	Usually	Seldom	Never
	•	<u> </u>				3
Eng./Humanities	41	14.7	29.3	34.1	29.3	7.3
Public Relations	,19	6.8	10.5	42.1	31.6	15.8
Social Science	3	1.1	0	0	100.0	0
Journalism	125	45.0	14.4	26.4	40 - 0	1.9.2
Natural Science .	2	.7	0	50.0	` 0	50.0
Communications	17	6.1	17.6	29.4	35.3	17.6
Full-time Adviser	1 27	9.7	18.5	18.5	37.0	25.9
Student Affairs	14	5.0	14.3	35.7	28.6	21.4
Full-time Admin.	. 20	7.2	30.0	10.0	50.0	10.0
Other	4	1.4	75.0	0 .	25.0	0
N	=278		•			



APPENDIX O

AFFIRMATIVE RESPONSES TO OPINION PROFILE

Opinion Profile	N=Yes .	Percentage
If pres./admin. asks that copy be read, should adv. do so?	94	31.5
Should students have full control over editorial content?	233	78.2
Do you conduct staff training sessions?	255	85.6
Does role put you in conflict with other job duties?	64	21.5
Does admin. regulate time and place of distribution?	18	6.0
May president fire editor?	41	13.8

,		
put you in conflict with other job duties?	64	21.
n. regulate time and place of distribution?	18	6.
dent fire editor?	41	13.
es by editor considered censorship?	24	8.
equired to read copy before it is printed?	24	8

Are changes by editor considered censorship:	24	0.1
Are you required to read copy before it is printed?	24	8.1
Are changes by adviser considered censorship?	113 .	37.9
Do you have a vote in selecting editors?	197 -	, 66.1
Do you have a stylebook?	235	78.9
Do you have editorial/staff policios?	160	56 7

Do you have a vote in selecting editors?	197 - ,	66.1
Do you have a stylebook?	235	78.9
Do you have editorial/staff policies?	169	56.7
Do you have published job descriptions for editors?	197	66.1
Do you have a written job description?	133	44.6

68

1.16

123

22.8

38.9

*A*1.3

Are journalism courses prerequisite for staff? '

Do you read proofs before publication is printed?

Do you check pictures and captions before printing?

APPENDIX P

AFFIRMATIVE RESPONSES TO OPINION PROFILE
BY TYPE OF INSTITUTION

Opinion Profile	Type of Institution (Percentage)								
	N=Yes	Percent	2-yr Pub	2-yr Pri	Up Div	4-yr Pub	4-yr Pri		
If pres./admin. asks that copy be read, should adviser do so?	93	35.0	32.0	16.7	66.7	28.1	48.4		
Should students have full control over edit. content?	232	80.8	82.6	8343	80.0	81.5	77.3		
Do you conduct staff training sessions?	254	88.5	94.3	100.0	100.0	83.9	8.6.2		
Does role put you in conflict with other job duties?	64	22.9	34.1	33.3	22.2	15.3	21.5		
Does admin. regulate time and place of distribution?	18	6.2	5.8	0	20.0	8.3	1.5		
May president fire editor?	41	15.5	14.1	16.7	. 10.0	10.0	28.3		
Are changes by editor considered censorship?	24	8.6	. 8.2	0	11.1	7.8	. 11.1		
Are you required to read copy before it is printed?	24	8.2	9.1	0	30.0	6.5	7.7		
Are changes by adviser considered censorship?	113	45.6	45.8	16.7	, 30.0	53.8	35.7		
		(Contin	nued)				- ;		

APPENDIX P

AFFIRMATIVE RESPONSES TO OPINION PROFILE
BY TYPE OF INSTITUTION (CON'T)

		1	Type of Institution (Percentage)						
Opinion Profile .	N=Yes	Percent	2-yr Pub	2-yr Pri	Up Div	4-yr Pub	4-yr Pri		
Do you have a vote in selecting editors?	196 -	6.6.0	74.4	- 83.3	45.5	56.9	73.1		
Do you have a stylebook?	235	79.1	73.3	83.3	90.9	79.7	83. 6		
Do you have editorial/ staff policies?	169	56.9	54.4	33.3	63.6	∤ 61.0	53.7		
Do you have published job descriptions for editors?	197	66.3	61.1	66.7	63.6	74.0	59.7		
Do you have a written job description?	, 133	44.8	37.8	16.7	36.4	55.3	38.8		
Are journalism courses prerequisite for staff?	68	22.9	25.6	33.3	36.4	22.0	17.9		
Do you read proofs before pub. is printed?	115	38.7	47.8	83.3	36.4	30.1	38.8		
Do you check pictures and captions before printing?	122	41.4	50.0	66.7	54.5	31.7	41.8		

APPENDIX Q

AFFIRMATIVE RESPONSES TO OPINION PROFILE
BY NUMBER OF JOURNALISM COURSES TAKEN

		-	Number of courses taken (Percentage)					
Opinion Profilé	N=Yes	Percent	none	1-2	3-4	5-6	.7-8	9+
If pres./admin. asks that copy be read, should adviser do so?	94 .	36.0	50.0	45.8	40.0	25.0	41.7	33.1
Should students have full cortrol over edit. content?	229	80.9	86.4	70.8	77.8	81.3	81.8	81.8
t., mining sessions?	251	88.7	87.0	87.0	82.4	82'.4	100.0	89.5
Does role put you in conflict with other job duties?	64	23.1	13.0	12.5	25.0	28.6	33.3	-24. 3
Does admin. regulate time and place of distribution?	18	6.3	0	13.6	0	1 7. 6	. 0	6.3
May president fire editor?	40	15.4	23.5	31.8	11.8	12.5	30.0	12.4
Are changes by editor considered censorship?	24	8.8	10.0	17.4	11.8	6.3	0	8.0 ,
Are you required to read copy before it is printed?	· 24	8.4	0	20.8	5.6	12.5	8.3	7.7
Are changes by adviser considered censorship?	111,	45.3	55.0	22.7	50.0	60.0	45.5	45.5

(Continued)



APPENDIX Q

AFFIRMATIVE RESPONSES TO OFINION PROFILE
BY NUMBER OF JOURNALISM COURSES TAKEN (CON'T)

Opinion Profile	N=Yes	Percent	Number of cours a taken (Percentage)					
			none	1-2	3-4	_ 5 - 6	7-8	9+
Do you have a vote in selecting editors?	194	66.4	70.8	44.0	55.6	58.8	83.3	69.4
Do you have a stylebook?	231	79.1	54.2	56.0	77.8	. 82.4	66.7	85.7
Do you have editorial/ staff policies?	168	57.5	29.2	66.7	50.0	56.0	52.9	61.2
Do you have published job descriptions for editors?	194	66.4	45.8	56.0	55.6	64.7	75.0	70.9
Do you have a written job description?	132	45.2	37.5	40.^	61.1	35.5	33.3	46.9
Are journálism courses prerequisite for staff?	67	22.9	8.3	8.0	5.6	114.9	33.3	28.6
Do you read proofs before publication is printed?	115	39.4	37.5	60.0	38.9	52.9	41.7	.35.7
Do you check pictures and captions before printing?	122	41.8	25.0	64.0	27.8	52.9	50.0	40.8

APPENDIX R CODE OF PROFESSIONAL STANDARDS FOR ADVISERS

BIOGRAPHICAL SKETCH

LILLIAN LODGE KOPENHAVER

PERSONAL

Birthdate: January 25, 1941

Birthplace: Linden, New Jersey

HIGHER EDUCATION

B.A., Summa Cum Laude, Glassboro State College (New Jersey)

M.A., University of Wisconsin-Madison

PROFESSIONAL EXPERIENCE

English and Journalism Teacher, Newspaper Adviser, Brick Township (N.J.) High School, 1962-67

Assistant Professor of Humanities, Newspaper Adviser, Ocean County (N.J.) College, 1967-71

Assistant Professor of Journalism, Yearbook Adviser, Miami-Dade (Fla.) Community College, 1971-73

Director of Student Activities, Yearbook Adviser, Florida International University, 1973-77

Assistant to the Vice President of Student Affairs, Yearbook Adviser, Florida International University, 1977-78

Director of Information Services, Yearbook Adviser, Florida International University, 1978-present

PROFESSIONAL MEMBERSHIPS AND ACTIVITIES

National Council of College Publications Advisers: Vice President for Public Affairs, 1979-81; President, 1975-79; Vice President, 1969-75

Society of Professional Journalists, Sigma Delta Chi: Chairman, National Professional Chapter Activities Committee, 1976-80; President, Greater Miami Professional Chapter, 1975-76; Education Chairperson, Greater Miami Chapter, 1974-80



- First Amendment Congress, Philadelphia, 1980, delegate
- Community College Journalism Association: President, 1970-71; President-elect, 1969-70; Articulation Committee, 1971-80
- Association for Education in Journalism: Teaching Standards Committee, 1973-76; Committee on Reorganization, 1976-79
- College Press Review, editorial board, 1976-present

HONORS -

Newspaper Fund Fellow, 1963, 1968

Outstanding Young Women of America, 1965-66

Outstanding Newspaper Adviser in Two-Year Colleges, NCCPA, 1971

Elmer G. Voigt Award, Education Council of the Graphic Arts Industry, 1973

Elihu Stout Plaque for Distinguished Achievement in Journalism, Vincennes University, 1973

Who's Who Among American Women, 1977-81

World Who's Who of Women, 1979-81

PUBLICATIONS

- The Ethics and Responsibilities of Advising College
 Student Publications, co-author, published by
 NCCPA College Student Press Series, Athens,
 Onio, 1978
- Articles in College Press Review, Community College
 Journalist, Journalism Educator, Scholastic
 Editor Graphics/Communications

